

EXHIBIT A

Ester Lorusso

12/19/2007

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

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3 ESTER LORUSSO,

4 Plaintiff,

5 Case No.
6 07CV3583 (LBS) (RLE)

7 -against-

8 ALITALIA-LINEE AEREE ITALIANE SpA

9 Defendant.

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12
13 Videotaped Deposition of Ester Lorusso

14 December 19, 2007

15 New York, New York

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22
23 REPORTED BY:

24 Helen Mendlowich

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1 LORUSSO

2 Q. You just remember that he said it?

3 A. Absolutely.

4 Q. Do you remember the context in which he

5 said it?

6 A. No.

7 Q. Do you know if anybody else was present

8 when he said that?

9 A. No.

10 Q. Did he give you any examples of how he

11 felt Mr. Libutti couldn't deal with women in higher

12 positions?

13 A. Yes. Mr. Libutti wanted me out of the

14 office.

15 Q. Mr. Gallo told you Mr. Libutti wanted you

16 out?

17 A. I don't remember if he told me

18 specifically but he definitely alluded to it.

19 Q. I'm not too clear.

20 A. I'm not too clear on your question. Let's

21 go back.

22 Q. Let's go back.

23 Did he specifically tell you that Mr.

24 Libutti wanted you out?

25 A. Yes, he did. Yes.

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1 LORUSSO

2 Q. And that was a few years ago that he said

3 that?

4 A. Yes.

5 Q. Can you recall what position you were in

6 at the time?

7 A. Yes.

8 Q. What position were you in at the time?

9 A. I was the director of marketing.

10 Q. Director of marketing for Alitalia,

11 Passenger Division?

12 A. Yes.

13 Q. Do you recall how long Mr. Libutti had

14 been in the New York office at the time Mr. Gallo

15 said this?

16 A. Approximately a year.

17 Q. Would you say this was said in the summer

18 of 2004?

19 A. It was said sometime in 2004.

20 Q. Did Mr. Libutti give any other examples --

21 pardon me. Did Mr. Gallo give any other examples at

22 the time of --

23 A. I don't recall.

24 MS. KURZON: You have to let him finish.

25 A. Sorry.

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1 LORUSSO

2 Q. -- of women with whom Mr. Libutti couldn't

3 deal who were in high places?

4 A. I don't recall.

5 Q. You do recall that he said that Libutti

6 couldn't deal with women in high positions, for

7 example he wanted to get rid of you?

8 A. Yes.

9 Q. Did Mr. Libutti fire you in 2004?

10 A. No.

11 Q. Did Mr. Libutti fire you in 2005?

12 A. No.

13 Q. Did Mr. Libutti fire you in 2006?

14 A. No.

15 Q. Did Mr. Libutti fire you in 2007?

16 A. He wasn't there.

17 Q. So the answer is no.

18 A. So the answer is no.

19 Q. Yes. Do you know of any women in high

20 positions who Mr. Libutti did fire?

21 A. There were no other women in high

22 positions besides me.

23 Q. Are you sure of that?

24 A. In North America?

25 Q. Yes.

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1 LORUSSO

2 A. Yes.

3 Q. What about Lucia Alla?

4 A. She wasn't in a high position at that time

5 when Libutti was there.

6 Q. She was not in a high position when Mr.

7 Libutti was there?

8 A. No, she was not.

9 Q. After Mr. Gallo told you sometime in 2004

10 that Mr. Libutti couldn't deal with women in high

11 positions, did he ever repeat that statement again?

12 A. I don't recall.

13 Q. You don't recall?

14 A. I don't recall.

15 Q. Did Mr. Gallo mention Mr. Libutti during

16 your coffee?

17 A. By name? I don't recall.

18 Q. You said that Mr. Gallo did mention

19 Alitalia policies about women at the coffee?

20 MS. KURZON: Objection. I think she

21 actually said they didn't talk about policies.

22 MR. KORAL: You are correct. She did

23 testify to that.

24 Q. You said that Mr. Gallo spoke about

25 Alitalia and women at your coffee?

9 (Pages 30 to 33)

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<p>1 LORUSSO</p> <p>2 MR. KORAL: When Mr. Gallo was talking</p> <p>3 about leaders of the company openly and</p> <p>4 privately expressing contempt for older</p> <p>5 employees, females and homosexuals.</p> <p>6 A. It would be throughout the period that I</p> <p>7 worked for the company.</p> <p>8 Q. Yes. And who, specifically, do you</p> <p>9 understand those leaders were during this period?</p> <p>10 And I'm only interested in 2004 going forward.</p> <p>11 A. That would be Giulio Libutti.</p> <p>12 Q. Anybody from Rome that you understand is a</p> <p>13 leader of the company who expressed openly or</p> <p>14 privately contempt for older employees, females and</p> <p>15 homosexuals?</p> <p>16 A. There are others, or there were others in</p> <p>17 Rome.</p> <p>18 Q. But you don't know their names?</p> <p>19 A. At this time, no. I don't recall.</p> <p>20 Q. Did you ever hear Giulio Libutti openly</p> <p>21 express contempt for older employees?</p> <p>22 A. I don't recall.</p> <p>23 Q. Did you ever hear Giulio Libutti privately</p> <p>24 express contempt for older employees?</p> <p>25 A. I don't recall.</p>	<p>1 LORUSSO</p> <p>2 A. No.</p> <p>3 Q. Did you make any objection to Mr. Libutti</p> <p>4 at the time he did say that?</p> <p>5 A. No.</p> <p>6 Q. Did Mr. Mariotti make any objection to Mr.</p> <p>7 Libutti at the time Mr. Libutti said that?</p> <p>8 A. I don't believe so.</p> <p>9 Q. Any other instances that you regard as</p> <p>10 public expressions of contempt for women, for</p> <p>11 females?</p> <p>12 A. I don't recall.</p> <p>13 Q. You can't recall anything else?</p> <p>14 A. No.</p> <p>15 Q. Can you recall approximately when Mr.</p> <p>16 Libutti made that statement about Silvia Del Sole?</p> <p>17 A. That must have been in 2004.</p> <p>18 Q. Why do you say must have been?</p> <p>19 A. Because I was still reporting to him at</p> <p>20 the time.</p> <p>21 Q. After you went into GA2000 you did not</p> <p>22 report to Mr. Libutti; is that right?</p> <p>23 A. No. I still did, actually.</p> <p>24 Q. But you are pretty sure this was before</p> <p>25 you were in GA2000?</p>
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<p>1 LORUSSO</p> <p>2 Q. Did you ever hear Giulio Libutti openly</p> <p>3 express contempt for females?</p> <p>4 A. Yes.</p> <p>5 Q. How many times?</p> <p>6 A. I don't recall.</p> <p>7 Q. Can you recall any single instance?</p> <p>8 A. A single instance? He referred to a</p> <p>9 female marketing executive in Rome and he alluded to</p> <p>10 the fact that she could get a higher position if she</p> <p>11 would sleep with someone.</p> <p>12 Q. Who was that female employee?</p> <p>13 A. Silvia Del Sole.</p> <p>14 Q. Silvia --</p> <p>15 A. -- Del Sole.</p> <p>16 Q. You said that statement was made publicly?</p> <p>17 A. That statement was made before me and one</p> <p>18 of my colleagues.</p> <p>19 Q. Who was the colleague?</p> <p>20 A. Gabriele Mariotti.</p> <p>21 Q. Did you ever tell Silvia Del Sole that Mr.</p> <p>22 Libutti had said that?</p> <p>23 A. No.</p> <p>24 Q. Did you ever tell anybody else that Mr.</p> <p>25 Libutti had said that, apart from your attorneys?</p>	<p>1 LORUSSO</p> <p>2 A. Yes.</p> <p>3 Q. Can you recall any instances where Mr.</p> <p>4 Libutti privately expressed contempt for females?</p> <p>5 A. I can't recall.</p> <p>6 Q. Can you recall any occasions where Mr.</p> <p>7 Libutti publicly expressed contempt for homosexuals?</p> <p>8 A. No.</p> <p>9 Q. Can you recall any occasions where Mr.</p> <p>10 Libutti privately expressed contempt for</p> <p>11 homosexuals?</p> <p>12 A. No.</p> <p>13 Q. Now, the statement here is that Mr. Gallo</p> <p>14 can describe an environment in which leaders of the</p> <p>15 company openly and privately expressed contempt for</p> <p>16 older employee, females and homosexuals.</p> <p>17 Can you recall any instances that Mr.</p> <p>18 Gallo told you about in which he heard leaders of</p> <p>19 the company openly express contempt for older</p> <p>20 employees?</p> <p>21 A. I cannot recall the specific instances.</p> <p>22 Q. Okay. Can you recall any instance where</p> <p>23 he told you about leaders of the company privately</p> <p>24 expressing contempt for older employees?</p> <p>25 A. No, not specific instances.</p>

12 (Pages 42 to 45)

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1
2 Q. Maybe to save time, is that true as well
3 for contempt for females and homosexuals, that you
4 can't recall any specific instances that Mr. Gallo
5 gave you?
6 A. No. They were just general statements
7 that he would make, but I don't remember the
8 specific instances.
9 Q. Do you believe he made those statements
10 more than once to you?
11 A. Yes.
12 Q. Did he ever put a statement like this in
13 writing that you have seen?
14 A. No.
15 Q. Did Mr. Gallo indicate to you that he had
16 ever protested anything that he regarded as
17 expressions by leaders of the company of contempt
18 for older employees, females or homosexuals?
19 A. Yes.
20 Q. What do you recall him telling you about
21 his protesting?
22 A. Specifically to discriminating against me
23 at the time it was happening. I believe he told
24 Libutti that it was unlawful to discriminate against
25 female employees in the United States.

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1
2 Q. When did Mr. Gallo tell you that he told
3 Libutti that it was unlawful to discriminate against
4 female employees in the United States in connection
5 with your situation?
6 A. I don't remember.
7 Q. Can you recall what position you were in
8 at the time that Mr. Gallo says that he said this to
9 Libutti?
10 A. No.
11 Q. Can you recall what the details of the
12 discrimination were that Mr. Gallo was supposedly
13 protesting to Libutti?
14 A. Yes. That my job was being given to a
15 male employee.
16 Q. And is that male employee Tim O'Neill?
17 A. Yes.
18 Q. Tim O'Neill had been the head of Italia
19 Tours?
20 A. Yes, years back.
21 Q. And then Tim O'Neill came back to Allitalia
22 in the Passenger Division?
23 A. Yes.
24 Q. What was his title?
25 A. I believe it was director of alliances.

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1
2 Q. Wasn't it director of sales and alliances?
3 A. That could be, yes.
4 Q. Do you know when Tim O'Neill came back to
5 Allitalia in that capacity?
6 A. It was either 2003 or 2004. 2003, I
7 think. 2003, I believe.
8 Q. Had you held that position of director of
9 sales and alliances?
10 A. No.
11 Q. So Tim O'Neill wasn't taking that position
12 away from you when he got it?
13 A. No.
14 Q. When was Tim O'Neill given your position?
15 A. It was throughout the time that our boss
16 was Giulio Libutti.
17 Q. Mr. Libutti came in the summer of 2003; is
18 that correct?
19 A. I believe so.
20 Q. So starting when Mr. Libutti came and
21 continuing onward Mr. Libutti was giving your
22 responsibilities to Tim O'Neill?
23 A. Slowly, yes.
24 Q. You say that Mr. Gallo told you that he
25 told Mr. Libutti that this was sex discrimination

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1
2 and that it was illegal in the U.S.
3 A. I'm sorry, repeat your question.
4 (Testimony was read back.)
5 A. Yes.
6 Q. Yes is the answer.
7 You probably answered this but now that we
8 are talking about it, can you recall approximately
9 when Mr. Gallo told you that he told this to
10 Libutti?
11 A. I don't recall.
12 Q. You don't recall when Gallo told you?
13 A. Right.
14 Q. Do you know if Gallo told you when he told
15 this to Libutti?
16 A. Do I recall --
17 Q. Well, he could have said it in 2003,
18 apparently, he could have said it in 2004. Libutti
19 was there until 2006.
20 Do you have any idea when Gallo said to
21 Libutti, this is sex discrimination, it's illegal?
22 A. It had to have been after I first made a
23 complaint.
24 Q. Would that be around September of 2004?
25 A. That would be in the summer of 2004.

13 (Pages 46 to 49)

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<p>1 LORUSSO</p> <p>2 A. I don't recall.</p> <p>3 Q. Did he ever tell you of any private</p> <p>4 expression of contempt for older employees by any</p> <p>5 leader of the company based upon age?</p> <p>6 A. Let's go back to the previous question</p> <p>7 which was public.</p> <p>8 Q. Yes.</p> <p>9 A. He told me that when Libutti left, he</p> <p>10 announced to everyone, I am so happy. One of my</p> <p>11 greatest accomplishments here was to get rid of the</p> <p>12 older folks and put in younger blood, or something</p> <p>13 to that effect.</p> <p>14 Q. Okay. Were you present to hear Libutti's</p> <p>15 statement?</p> <p>16 A. I was not.</p> <p>17 Q. Did Mariotti tell you where Libutti was</p> <p>18 when he said this?</p> <p>19 A. Yes. He was in one of the corridors on</p> <p>20 the 37th floor.</p> <p>21 Q. So this wasn't a general announcement. It</p> <p>22 was made to some people in the corridor?</p> <p>23 A. No.</p> <p>24 Q. It was a general announcement?</p> <p>25 A. No. It was just -- he said it out loud.</p>	<p>1 LORUSSO</p> <p>2 Q. That's good.</p> <p>3 A. I don't know if I would label this as</p> <p>4 contempt, however, when Libutti and Galli first came</p> <p>5 to New York they addressed the entire company and</p> <p>6 the first words out of Galli's mouth were, I'm not</p> <p>7 going to say much because speeches are like women's</p> <p>8 skirts. The shorter, the better.</p> <p>9 Q. Okay. You heard him say that?</p> <p>10 A. I most certainly did.</p> <p>11 Q. Did he say anything -- did you ever hear</p> <p>12 Galli say anything else that you considered to be</p> <p>13 disrespectful of older employees?</p> <p>14 A. No. I don't recall.</p> <p>15 Q. Actually, I assume that that's a comment</p> <p>16 that's really in regard as being disrespectful or</p> <p>17 contemptuous of women rather than older employees?</p> <p>18 A. You're right.</p> <p>19 Q. So you are anticipating my question. If</p> <p>20 you cannot think of anything else regarding older</p> <p>21 employees, let us go on to statements -- other than</p> <p>22 the one that you just mentioned made by Galli -- in</p> <p>23 which leaders of the company openly expressed</p> <p>24 contempt to women.</p> <p>25 Galli made that comment. Can you recall</p>
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<p>1 LORUSSO</p> <p>2 Q. He said it out loud and Mariotti overheard</p> <p>3 it or was it a statement made to Mariotti, if you</p> <p>4 know?</p> <p>5 A. I don't recall.</p> <p>6 Q. Did Mariotti mention if anybody else was</p> <p>7 around?</p> <p>8 A. I believe he did.</p> <p>9 Q. Did he mention who?</p> <p>10 A. He may have.</p> <p>11 Q. But you don't recall?</p> <p>12 A. No.</p> <p>13 Q. Then the question was, did Mariotti ever</p> <p>14 tell you of any instances in which leaders of the</p> <p>15 company privately expressed contempt for older</p> <p>16 employees?</p> <p>17 A. Well, yes. I just told you about the</p> <p>18 older woman.</p> <p>19 Q. Oh, that was said one-on-one?</p> <p>20 A. Between Libutti and Mariotti.</p> <p>21 Q. Okay. Any other instances where Libutti</p> <p>22 or any other leader of the company expressed</p> <p>23 privately some contempt for older employees?</p> <p>24 A. Not privately but let's go back to</p> <p>25 publicly. As you're speaking things are coming up.</p>	<p>1 LORUSSO</p> <p>2 Mariotti telling you of any statements that leaders</p> <p>3 of the company made openly expressing contempt for</p> <p>4 women?</p> <p>5 A. No, not openly.</p> <p>6 Q. Okay. What about privately? Any comments</p> <p>7 in which leaders -- that Mariotti reported to you --</p> <p>8 A. Oh, I'm sorry. Can I go back to publicly?</p> <p>9 Q. Of course.</p> <p>10 A. Gabriele Mariotti told me that at Marco</p> <p>11 D'Illario's good-bye party at his home --</p> <p>12 Q. Yes?</p> <p>13 A. -- Libutti said in front of a number of</p> <p>14 people something to the effect that I am leaving and</p> <p>15 I'm happy to be leaving so I don't have to worry</p> <p>16 about discrimination charges anymore. I could say</p> <p>17 what I want now.</p> <p>18 Q. Did he then proceed to say what he wanted?</p> <p>19 Did he say anything contemptuous of women or older</p> <p>20 people or homosexuals?</p> <p>21 A. Not that I know of.</p> <p>22 Q. You weren't present?</p> <p>23 A. I was not.</p> <p>24 Q. This was a party at Marco D'Illario's home</p> <p>25 for Libutti?</p>

22 (Pages 82 to 85)

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<p>1 LORUSSO</p> <p>2 A. That's correct.</p> <p>3 Q. Now, back to the question of whether you</p> <p>4 heard any leaders of the company openly express</p> <p>5 contempt for females apart from what you've already</p> <p>6 told us, can you think of anything else that</p> <p>7 Gabriele Mariotti told you?</p> <p>8 A. Not at this time.</p> <p>9 Q. Did Mariotti tell you that he heard</p> <p>10 Libutti said this or that he heard from somebody</p> <p>11 else that Libutti said this?</p> <p>12 A. He heard him say it.</p> <p>13 Q. Now, did Mariotti report any instances in</p> <p>14 which leaders of the company privately expressed</p> <p>15 contempt for females?</p> <p>16 A. Yes.</p> <p>17 Q. What was that?</p> <p>18 A. I don't recall the specifics.</p> <p>19 Q. Just in general you recall that he said</p> <p>20 that?</p> <p>21 A. Yes.</p> <p>22 Q. That Mariotti said — did he give you</p> <p>23 specific instances or he just said generally, they</p> <p>24 don't respect women?</p> <p>25 A. I don't recall.</p>	<p>1 LORUSSO</p> <p>2 Q. Did you ever hear anybody make denigrating</p> <p>3 remarks about Francesco Gallo because they thought</p> <p>4 he was homosexual?</p> <p>5 A. Yes.</p> <p>6 Q. Yes?</p> <p>7 A. Yes.</p> <p>8 Q. Whom did you hear do that?</p> <p>9 A. There were rumors in the company about it.</p> <p>10 Q. Did you ever hear any leader of the</p> <p>11 company specifically say something about Gallo being</p> <p>12 homosexual?</p> <p>13 A. No.</p> <p>14 Q. Were those rumors sparked because of a</p> <p>15 person named Dursun Oksus, the rumors about Gallo?</p> <p>16 A. Yes.</p> <p>17 Q. Before that you hadn't heard rumors about</p> <p>18 Gallo being homosexual?</p> <p>19 A. I don't believe so.</p> <p>20 Q. Was this because it was thought that Gallo</p> <p>21 had promoted Oksus as the vice president of</p> <p>22 regulatory affairs because of a homosexual liaison</p> <p>23 between the two of them?</p> <p>24 A. That was the rumor.</p> <p>25 Q. That was the rumor, yes.</p>
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<p>1 LORUSSO</p> <p>2 Q. Okay. Did Mariotti give you examples of</p> <p>3 instances? Did he give you any occasions in which</p> <p>4 leaders of the company openly expressed contempt for</p> <p>5 homosexuals?</p> <p>6 A. I don't recall.</p> <p>7 Q. Did he give you any instances in which</p> <p>8 leaders of the company privately expressed contempt</p> <p>9 for homosexuals?</p> <p>10 A. I don't recall.</p> <p>11 Q. Did you personally ever hear any leader of</p> <p>12 the company express contempt for homosexuals?</p> <p>13 A. Yes, but it was a long time ago.</p> <p>14 Q. Meaning before 2004?</p> <p>15 A. Yes.</p> <p>16 Q. Are you aware that Gabriele Mariotti is</p> <p>17 homosexual?</p> <p>18 A. That's a difficult question to answer.</p> <p>19 Q. Has he ever told you — has Gabriele</p> <p>20 Mariotti ever told you that he is homosexual?</p> <p>21 A. No. He has not.</p> <p>22 Q. Did you ever hear anybody make denigrating</p> <p>23 remarks about Gabriele Mariotti because they thought</p> <p>24 he was homosexual?</p> <p>25 A. No.</p>	<p>1 LORUSSO</p> <p>2 Can you recall any specific person who</p> <p>3 spread that rumor or endorsed that rumor?</p> <p>4 A. No. But it was a rumor.</p> <p>5 Q. It was in the air?</p> <p>6 A. It was in the air. Thank you.</p> <p>7 Q. Did you yourself ever pass that rumor on?</p> <p>8 A. No.</p> <p>9 Q. I'm pretty sure I know the answer to this</p> <p>10 question, but in your conversations with Mr. Gallo,</p> <p>11 did you ever discuss the rumors about him and Mr.</p> <p>12 Oksus, with Mr. Gallo?</p> <p>13 A. No.</p> <p>14 Q. Did you ever discuss the rumors about Mr.</p> <p>15 Gallo and Oksus with Mariotti?</p> <p>16 A. Yes.</p> <p>17 Q. What do you recall about any such</p> <p>18 discussion?</p> <p>19 A. Well, it was a position that I wanted at</p> <p>20 the time, that is, Oksus's position.</p> <p>21 Q. The vice president of regulatory affairs?</p> <p>22 A. That is correct.</p> <p>23 Q. Okay.</p> <p>24 A. So the discussion between me and Mariotti</p> <p>25 revolved around why would someone who barely speaks</p>

23 (Pages 86 to 89)

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<p>1 LORUSSO</p> <p>2 English, is totally incompetent, be placed in that</p> <p>3 position when I wasn't even considered.</p> <p>4 Q. All right. What did Mr. Mariotti say?</p> <p>5 A. He basically repeated what I just said.</p> <p>6 Q. He said, Why would --</p> <p>7 A. Yes.</p> <p>8 Q. Did Mr. Mariotti indicate that he heard</p> <p>9 the rumors and the reason was that Mr. Oksus was a</p> <p>10 paramour of Mr. Gallo's?</p> <p>11 A. I don't remember the specifics of what was</p> <p>12 said but the general conversation revolved around</p> <p>13 that.</p> <p>14 Q. I'm sure I know the answer to this</p> <p>15 question as well, but you never discussed these</p> <p>16 rumors with Mr. Oksus?</p> <p>17 A. No. That's an emphatic no.</p> <p>18 Q. Specifically, do you recall any other</p> <p>19 discussions of these rumors about Gallo and Oksus or</p> <p>20 is it just an in-the-air kind of thing?</p> <p>21 A. It was in the air.</p> <p>22 Q. Do you recall if Mr. Mariotti specifically</p> <p>23 mentioned Dolores Kitzig as the person about whom</p> <p>24 denigrating remarks were made because she is old?</p> <p>25 A. I don't recall.</p>	<p>1 LORUSSO</p> <p>2 discussion.</p> <p>3 Q. Okay. He certainly never invited you to</p> <p>4 any of his places?</p> <p>5 A. No.</p> <p>6 Q. Have you ever invited him to your</p> <p>7 apartment, Mariotti?</p> <p>8 A. I think so.</p> <p>9 Q. Do you remember if he came?</p> <p>10 A. I believe so.</p> <p>11 Q. Do you recall how long ago?</p> <p>12 A. Yes, yes. He did come over one evening,</p> <p>13 yes.</p> <p>14 Q. About how long ago was that?</p> <p>15 A. It must have been a while back because I</p> <p>16 hardly remember. But he did come over, yes.</p> <p>17 Q. When is the last time you communicated</p> <p>18 with Howard Tiegel?</p> <p>19 A. When he was at the company.</p> <p>20 Q. This was in 2002?</p> <p>21 A. Yes.</p> <p>22 Q. So you had no communications with him</p> <p>23 since?</p> <p>24 A. No, I haven't.</p> <p>25 Q. There is a statement here that Tiegel can</p>
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<p>1 LORUSSO</p> <p>2 Q. Did Mariotti mention that he was told to</p> <p>3 fire Dolores Kitzig because she's old?</p> <p>4 A. I'm sorry. I didn't hear what you said.</p> <p>5 I thought you said Laurus. Dolores, that's her</p> <p>6 name. She is the chicken.</p> <p>7 Q. She is the old chicken?</p> <p>8 A. Correct. She is the one I referred to</p> <p>9 before, yes.</p> <p>10 Q. Do you know if she was ever fired?</p> <p>11 A. I don't know.</p> <p>12 Q. Was she still at the company when you</p> <p>13 left?</p> <p>14 A. I don't know.</p> <p>15 Q. You don't know?</p> <p>16 A. I don't know.</p> <p>17 Q. On Mariotti you further state that he</p> <p>18 resides in Manhattan. Do you know if that's a fact?</p> <p>19 A. Actually, it's not.</p> <p>20 Q. Where is he residing now?</p> <p>21 A. I'm not quite sure, but he had a place</p> <p>22 upstate and he also had a place in Queens.</p> <p>23 He was very secretive about where he was</p> <p>24 living, to be honest with you. Not secretive. I</p> <p>25 shouldn't say that. It was just not up for</p>	<p>1 LORUSSO</p> <p>2 "describe how the New York office made</p> <p>3 discriminatory employment decisions during Ms.</p> <p>4 Lorusso's employment." This is paragraph 3.</p> <p>5 I assume these are decisions that were</p> <p>6 made while Mr. Tiegel was still there?</p> <p>7 A. Yes.</p> <p>8 Q. And he left in 2002 or 2003?</p> <p>9 A. I don't remember exactly when he left.</p> <p>10 Q. And "how the company had no regard for</p> <p>11 American employment laws."</p> <p>12 Did you ever hear Mr. Tiegel say that?</p> <p>13 Did you ever hear him say that?</p> <p>14 A. No.</p> <p>15 Q. Did anybody ever tell you that he said</p> <p>16 that?</p> <p>17 A. I don't think so.</p> <p>18 Q. In paragraph 3 the second time around, the</p> <p>19 next paragraph 3, we have Mr. Mengozzi, who was a</p> <p>20 former CEO of Alitalia. The statement says that he</p> <p>21 "directed the managing director in New York to push</p> <p>22 out the older workers in New York and replace them</p> <p>23 with younger employees."</p> <p>24 First, did you ever hear Mr. Mengozzi give</p> <p>25 such a direction?</p>

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<p>1 LORUSSO</p> <p>2 Libutti's behavior toward you once you went into</p> <p>3 GA2000 --</p> <p>4 A. No.</p> <p>5 Q. -- with Elizabeth?</p> <p>6 All right. Did you, at the time that you</p> <p>7 were still in marketing, discuss with Elizabeth Mr.</p> <p>8 Libutti's alleged harassing of you?</p> <p>9 A. I may have.</p> <p>10 Q. You're not sure?</p> <p>11 A. I'm not sure.</p> <p>12 Q. How about Mr. Libutti's berating you? Do</p> <p>13 you recall discussing that with Elizabeth?</p> <p>14 A. Yes.</p> <p>15 Q. You do recall that? What do you recall</p> <p>16 discussing with Elizabeth back when were you in</p> <p>17 marketing about Mr. Libutti's berating you?</p> <p>18 A. I remember one incident. We were in</p> <p>19 Washington at a hotel and Libutti screamed at me in</p> <p>20 the lobby of the hotel. And I remember discussing</p> <p>21 it with Elizabeth.</p> <p>22 Q. What was Mr. Libutti screaming at you</p> <p>23 about?</p> <p>24 A. I believe he wanted good-looking girls in</p> <p>25 skirts to be at the door or something to that</p>	<p>1 LORUSSO</p> <p>2 A. I believe it was the next day. It was an</p> <p>3 evening event.</p> <p>4 Q. And Elizabeth heard Mr. Libutti yelling at</p> <p>5 you about those two things --</p> <p>6 A. I believe she did.</p> <p>7 Q. -- about the greeters and about the</p> <p>8 telephone. You believe she did?</p> <p>9 A. Yes.</p> <p>10 Q. And you believe you discussed it with her?</p> <p>11 A. Yes.</p> <p>12 Q. What did she say?</p> <p>13 A. I don't recall.</p> <p>14 Q. Do you recall what you said?</p> <p>15 A. No.</p> <p>16 Q. Have you asked Elizabeth to be a witness</p> <p>17 for you in this case?</p> <p>18 A. No. I have not.</p> <p>19 Q. Stephanie Di Clemente, she was in HR,</p> <p>20 correct?</p> <p>21 A. Yes.</p> <p>22 Q. When is the last time you communicated</p> <p>23 with her?</p> <p>24 A. I literally bumped into her in the street.</p> <p>25 Q. About how long ago?</p>
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<p>1 LORUSSO</p> <p>2 effect, and I didn't deliver it or something to that</p> <p>3 effect.</p> <p>4 I would need to check my notes for this.</p> <p>5 Q. This was the launch of the Washington</p> <p>6 office?</p> <p>7 A. Yes.</p> <p>8 MS. KURZON: Put on your mike, please.</p> <p>9 MR. KORAL: You're picking her up anyway?</p> <p>10 Okay, good.</p> <p>11 Q. Mr. Libutti was unhappy because you used</p> <p>12 regular Alitalia staff to be the greeters and he</p> <p>13 thought you should hire models?</p> <p>14 A. That's correct.</p> <p>15 Q. I read your notes.</p> <p>16 That's what he was screaming at you about?</p> <p>17 A. That, and he kept trying to reach me on my</p> <p>18 cell phone but he was calling me on my office phone.</p> <p>19 So he thought I was purposely avoiding him.</p> <p>20 Q. He was leaving messages on your office</p> <p>21 phone?</p> <p>22 A. Right. I didn't find out until I got back</p> <p>23 to the office in New York.</p> <p>24 Q. You don't check your office phone when</p> <p>25 you're out of town?</p>	<p>1 LORUSSO</p> <p>2 A. I don't recall.</p> <p>3 Q. Within the last year?</p> <p>4 A. Yes.</p> <p>5 Q. Did you have any conversation about your</p> <p>6 termination?</p> <p>7 A. I believe I communicated to her that I was</p> <p>8 no longer with Alitalia.</p> <p>9 Q. What's she doing these days?</p> <p>10 A. She is working in human resources for Polo</p> <p>11 Ralph Lauren.</p> <p>12 Q. Other than telling her that you've been</p> <p>13 terminated, did you have any other discussion about</p> <p>14 Alitalia with Ms. Di Clemente when you ran into her?</p> <p>15 A. Yes.</p> <p>16 Q. And you haven't communicated with her</p> <p>17 since?</p> <p>18 A. No.</p> <p>19 Q. Did she give you her card?</p> <p>20 A. Yes, she did.</p> <p>21 Q. But you haven't called her?</p> <p>22 A. No.</p> <p>23 Q. Or e-mailed her?</p> <p>24 A. No.</p> <p>25 Q. Do you know whether your attorneys have</p>

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<p>1 LORUSSO</p> <p>2 Sclarresi had said that the company has no regard</p> <p>3 for employment laws?</p> <p>4 A. I don't recall.</p> <p>5 Q. Did anybody ever tell you that Mr.</p> <p>6 Sclarresi had described how discriminatory practices</p> <p>7 impacted his employment with Alitalia?</p> <p>8 A. I don't recall.</p> <p>9 Q. Finally, did anybody ever tell you that</p> <p>10 Mr. Sclarresi had described how discriminatory</p> <p>11 practices impacted your employment with Alitalia?</p> <p>12 A. I don't recall if my attorney at the time</p> <p>13 had made a comment or not.</p> <p>14 Q. "At the time" you mean Mr. Behrins?</p> <p>15 A. Yes, I do.</p> <p>16 Q. Since he was your attorney, don't tell me</p> <p>17 anything further about what he said because I'm not</p> <p>18 supposed to ask and you're not supposed to tell.</p> <p>19 What is your basis for stating in</p> <p>20 paragraph 10 that Mr. Libutti repeatedly made racist</p> <p>21 remarks?</p> <p>22 A. Mostly through conversations with Gabriele</p> <p>23 Mariotti.</p> <p>24 Q. You never heard Mr. Libutti make a racist</p> <p>25 remark; is that right?</p>	<p>1 LORUSSO</p> <p>2 You've described one such remark. Did you</p> <p>3 hear any others?</p> <p>4 A. I don't recall.</p> <p>5 Q. Did anybody ever report to you that Mr.</p> <p>6 Libutti had made sexist remarks?</p> <p>7 A. Gabriele did.</p> <p>8 Q. Do you recall what remarks Mr. Mariotti</p> <p>9 said Mr. Libutti had made? Do you recall the</p> <p>10 contents of any?</p> <p>11 A. No.</p> <p>12 Q. You said before that Mariotti was not the</p> <p>13 only one who reported to you that Libutti had made</p> <p>14 racist remarks?</p> <p>15 A. Yes.</p> <p>16 Q. Who else did?</p> <p>17 A. Francesco Gallo.</p> <p>18 Q. Gallo said so?</p> <p>19 A. Mm-hm.</p> <p>20 Q. Did you ever hear Gallo make racist</p> <p>21 remarks, by the way --</p> <p>22 A. No.</p> <p>23 Q. -- of his own?</p> <p>24 A. No.</p> <p>25 Q. What remarks did Mr. Gallo report to you</p>
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<p>1 LORUSSO</p> <p>2 A. I may have, but I don't recall.</p> <p>3 Q. Did anybody ever tell you that Mr.</p> <p>4 Libutti repeatedly made racist remarks?</p> <p>5 A. Gabriele Mariotti.</p> <p>6 Q. Just Mariotti. Did he describe any</p> <p>7 remarks to you?</p> <p>8 A. It's not just Gabriele Mariotti, by the</p> <p>9 way.</p> <p>10 Q. Let's finish with him and we'll go on to</p> <p>11 whoever else it was.</p> <p>12 Did Mr. Mariotti describe any of these</p> <p>13 remarks to you or repeated them?</p> <p>14 A. He may have.</p> <p>15 Q. You don't recall anything specific?</p> <p>16 A. I don't recall anything specific.</p> <p>17 Q. But you recall his saying in general</p> <p>18 terms, Libutti makes racist remarks?</p> <p>19 A. Yes.</p> <p>20 Q. Any races in particular that Mr. Mariotti</p> <p>21 claimed Mr. Libutti was making remarks about?</p> <p>22 A. I don't recall.</p> <p>23 Q. This also says that Libutti, "upon</p> <p>24 information and belief Libutti repeatedly made</p> <p>25 sexist remarks."</p>	<p>1 LORUSSO</p> <p>2 Libutti made that he regarded as racist?</p> <p>3 A. I don't recall.</p> <p>4 Q. Did Gallo mention which races Libutti was</p> <p>5 making remarks about that you can recall?</p> <p>6 A. I can't recall.</p> <p>7 Q. Did anybody other than Mariotti report to</p> <p>8 you that Libutti made sexist remarks?</p> <p>9 A. Francesco Gallo.</p> <p>10 Q. Did Mr. Gallo give you any specific sexist</p> <p>11 remarks that Mr. Libutti allegedly made?</p> <p>12 A. I can't recall.</p> <p>13 Q. You said that Mr. Libutti participated in</p> <p>14 discriminatory employment decisions and policies</p> <p>15 that adversely impacted you.</p> <p>16 Let me ask, first, did Mr. Libutti</p> <p>17 participate in any decision to terminate you that</p> <p>18 you are aware of?</p> <p>19 A. To terminate me?</p> <p>20 Q. Yes.</p> <p>21 A. He started the chain of events that led to</p> <p>22 my termination.</p> <p>23 Q. Did Mr. Libutti have anything to do with</p> <p>24 the Cargo department?</p> <p>25 A. I believe Mr. Libutti was no longer</p>

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1 LORUSSO
2 employed, at the time.
3 Q. But first answer my question which has to
4 do, Mr. Libutti have anything to do with the Cargo
5 department?
6 A. No.
7 Q. Do you know if Mr. Libutti was the person
8 who arranged for you to get a job in the Cargo
9 department in 2006?
10 A. No.
11 Q. Do you know whether he had any influence
12 on that placement, I'll call it, or on that job
13 opportunity?
14 A. I don't know.
15 Q. As you mentioned, Mr. Libutti was, in
16 fact, no longer employed at Alitalia at the time of
17 your termination, correct?
18 A. That is correct. I believe that's
19 correct.
20 Q. He certainly was no longer in New York at
21 the time, correct?
22 A. Right.
23 Q. You said earlier that Mr. Libutti said --
24 I don't want to put words in your mouth -- but
25 essentially set in motion the chain of events that

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1 LORUSSO
2 led to your termination?
3 A. That's correct.
4 Q. What are you referring to specifically?
5 A. Mr. Libutti step-by-step was taking away
6 my responsibilities and giving them to my male
7 counterpart.
8 Q. You mean Tim O'Neill?
9 A. Tim O'Neill.
10 Q. And so you consider that is how Mr.
11 Libutti --
12 A. -- began --
13 Q. -- began the process of your termination?
14 A. Correct.
15 Q. The first thing he did was to promote you
16 to GA2000, correct?
17 MS. KURZON: Objection to the term
18 "promote." Transferred?
19 Q. Weren't you promoted to GA2000?
20 A. I was transferred to G A 2000.
21 Q. What was your salary before you went to
22 GA2000?
23 A. Eighty thousand.
24 Q. What was your salary when you were at
25 GA2000?

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1 LORUSSO
2 A. A hundred and five.
3 Q. So you had a salary increase of more than
4 25 percent when you went to GA2000?
5 A. Right. The salary increase came by way of
6 my refusing to go to GA2000, and Libutti would come
7 back with a higher amount in order to entice me to
8 go to GA2000.
9 Q. What was your title at GA2000?
10 A. Managing director.
11 Q. What was your title before you went to
12 GA2000?
13 A. Director of managing.
14 Q. Is a managing director higher than a
15 director?
16 A. Managing director of a sinking ship is not
17 higher than a director of marketing in a company
18 that was sound.
19 Q. But you were managing director at GA2000,
20 correct?
21 A. Yes, I was.
22 Q. And you were just a director when you were
23 in Passenger?
24 A. Yes, I was.
25 Q. Your salary was 80,000?

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1 LORUSSO
2 A. That's correct.
3 Q. And went up to 105,000?
4 A. That's correct.
5 Q. Did Mr. Libutti tell you that GA2000 was a
6 sinking ship?
7 A. Everyone knew it was a sinking ship.
8 Q. The question is whether Mr. Libutti did?
9 A. No. He did not.
10 Q. Did Mr. Gallo say so?
11 A. No. He did not.
12 Q. Did anybody say so specifically?
13 A. I don't believe so.
14 Q. But it was sort of common knowledge?
15 A. It was common knowledge that Alitalia was
16 closing companies, subsidiary companies that it
17 owned.
18 Q. Okay. And GA2000 was a subsidiary
19 company?
20 A. Yes, it was.
21 Q. So the conclusion was that it might be on
22 the list, so to speak, of things to be closed?
23 A. That's correct.
24 Q. I believe that you claimed that you made a
25 profit when you were at GA2000.

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<p>1 LORUSSO</p> <p>2 A. Only for the first few months.</p> <p>3 Q. Only for the first few months?</p> <p>4 A. Right.</p> <p>5 Q. What happened after that?</p> <p>6 A. The company was systemically being ignored</p> <p>7 by Alitalia. There were a lot, a lot of problems</p> <p>8 and it was quite obvious about the direction it was</p> <p>9 headed.</p> <p>10 Q. That was within the first few months?</p> <p>11 A. Yes.</p> <p>12 Q. How many employees did you supervise or,</p> <p>13 were there in GA2000, is probably a better way to</p> <p>14 put it?</p> <p>15 A. Between 16 and 18.</p> <p>16 Q. Sixteen and 18?</p> <p>17 A. I believe so.</p> <p>18 Q. They didn't all report directly to you, I</p> <p>19 assume. There were some supervisors and managers</p> <p>20 and so on?</p> <p>21 A. That is correct.</p> <p>22 Q. But the total head count for GA2000 was in</p> <p>23 the range from 16 to 18?</p> <p>24 A. Yes. I believe I reduced it when I got</p> <p>25 there, but it was around that range.</p>	<p>1 LORUSSO</p> <p>2 Q. You continued on your managing director</p> <p>3 salary until you took your position in Cargo in</p> <p>4 April of 2006?</p> <p>5 A. That's correct.</p> <p>6 Q. If you look at the very last page of this</p> <p>7 exhibit you'll see what appears to be a news clip</p> <p>8 mentioning you as a manager of marketing</p> <p>9 communications at Alitalia, Ms. Lorusso.</p> <p>10 A. Yes.</p> <p>11 Q. Do you recall what publication this is</p> <p>12 from?</p> <p>13 A. Travel Agent Magazine.</p> <p>14 Q. The date is obscure. Do you recall the</p> <p>15 date?</p> <p>16 A. No, I don't.</p> <p>17 Q. It was in 1997 perhaps?</p> <p>18 A. Could be.</p> <p>19 Q. You were named one of the -- I can't</p> <p>20 remember the exact title, but one of the</p> <p>21 up-and-coming women in travel around that time, as</p> <p>22 well?</p> <p>23 A. That's correct.</p> <p>24 Q. This was the only document that your</p> <p>25 attorneys produced to us at the time, in July when</p>
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<p>1 LORUSSO</p> <p>2 Q. Was that a decision that you made</p> <p>3 yourself?</p> <p>4 A. Yes.</p> <p>5 Q. You selected the people to be terminated?</p> <p>6 A. Yes.</p> <p>7 Q. These were job eliminations?</p> <p>8 A. I don't recall.</p> <p>9 Q. Did you fire some people for just poor</p> <p>10 performance?</p> <p>11 A. It may have been, but I don't recall. I</p> <p>12 would need to take a look at my notes.</p> <p>13 Q. Well, we'll get back into GA2000 later.</p> <p>14 Isn't it true that your salary at GA2000</p> <p>15 was, in fact, continued by Alitalia? That it wasn't</p> <p>16 paid by GA2000?</p> <p>17 A. That's correct.</p> <p>18 Q. You remained an Alitalia employee --</p> <p>19 A. Yes, I did.</p> <p>20 Q. -- while you were at GA2000?</p> <p>21 Isn't it true that after GA2000 was</p> <p>22 closed, which I think was maybe November 1, 2006 --</p> <p>23 A. Correct.</p> <p>24 Q. 2005?</p> <p>25 A. Five.</p>	<p>1 LORUSSO</p> <p>2 this document was given to us. Subsequently other</p> <p>3 documents were produced, but just last week we were</p> <p>4 sent over 350 pages of documents which your</p> <p>5 attorneys represented to us you had just turned over</p> <p>6 to them.</p> <p>7 Is that correct?</p> <p>8 A. That's correct.</p> <p>9 Q. Where did those documents come from, the</p> <p>10 350 that you gave your attorneys last week?</p> <p>11 A. I had them.</p> <p>12 Q. At home?</p> <p>13 A. Yes.</p> <p>14 Q. Why did you not turn them over to your</p> <p>15 attorneys sooner?</p> <p>16 A. I didn't know that I had to turn over</p> <p>17 every document that I had.</p> <p>18 MS. KURZON: I object to this questioning</p> <p>19 to the extent it calls for attorney-client</p> <p>20 privilege.</p> <p>21 MR. KORAL: Well, I am not asking her what</p> <p>22 you told her to do or what she told you. I'm</p> <p>23 just asking why were they there that long.</p> <p>24 Q. The answer is you didn't understand that</p> <p>25 you should turn over documents?</p>

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<p>1 LORUSSO</p> <p>2 Q. Around the country to find --</p> <p>3 A. Not around the country, no.</p> <p>4 Q. Just around New York?</p> <p>5 A. Yes.</p> <p>6 Q. Why did you hate the job?</p> <p>7 A. It was a concept that was incredibly tough</p> <p>8 for people to grab.</p> <p>9 Q. So it was a hard sale?</p> <p>10 A. It was an extremely hard sale.</p> <p>11 Q. Were there other people involved in sales</p> <p>12 besides yourself? Sales for Hanger, I mean.</p> <p>13 A. Yes.</p> <p>14 Q. Were they more successful than you at</p> <p>15 making these hard sales?</p> <p>16 A. No.</p> <p>17 Q. Was the company not making money at this</p> <p>18 point?</p> <p>19 A. No.</p> <p>20 Q. It's not?</p> <p>21 A. No, it's not.</p> <p>22 MR. KORAL: Well, any documentation that</p> <p>23 we have of any of her job searches from the</p> <p>24 time she started while still at Alitalia until</p> <p>25 her -- until the present, really, I think would</p>	<p>1 LORUSSO</p> <p>2 qualifications of any persons hired by Alitalia for</p> <p>3 the jobs listed in paragraph 4G above, and give the</p> <p>4 basis for your belief."</p> <p>5 Now let's look at paragraph 4G, which is</p> <p>6 on the proceeding page. The first one is vice</p> <p>7 president of regulatory affairs. There are four</p> <p>8 jobs, actually, listed there, vice president of</p> <p>9 regulatory affairs, director of regulatory affairs,</p> <p>10 either of the two positions in marketing and sales</p> <p>11 that opened in 2006 as alleged in paragraph 43 of</p> <p>12 the complaint. Those positions.</p> <p>13 Let me ask you first, the positions in</p> <p>14 marketing and sales that opened up, can you tell me</p> <p>15 which those were? And if you want, we can look at</p> <p>16 the complaint which is on the next exhibit.</p> <p>17 I'll just read you paragraph 43 for now</p> <p>18 which is, "two positions in plaintiff's area of</p> <p>19 expertise, marketing and sales, opened up." Now,</p> <p>20 this appears to be in the fall of 2006.</p> <p>21 Do you know which two positions you are</p> <p>22 referring to?</p> <p>23 A. Yes. One is the position given to Lucia</p> <p>24 Alla. I don't recall the exact title of her</p> <p>25 position.</p>
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<p>1 LORUSSO</p> <p>2 be relevant. I'd like to see. So we'll make</p> <p>3 that document request.</p> <p>4 We're going to mark now as Defendant's</p> <p>5 Exhibit 2 plaintiff's response to defendant's</p> <p>6 first interrogatories.</p> <p>7 (Defendant's Exhibit 2, response, was</p> <p>8 marked for identification as of this date.)</p> <p>9 Q. Ms. Lorusso, have you had an opportunity</p> <p>10 to look through this?</p> <p>11 A. Yes.</p> <p>12 Q. Is that your signature on the very last</p> <p>13 page of this document?</p> <p>14 A. Yes.</p> <p>15 Q. Did you read through this document on</p> <p>16 September 11, 2007?</p> <p>17 A. Yes.</p> <p>18 Q. Do you recall that you agreed with</p> <p>19 everything that was there?</p> <p>20 A. Yes.</p> <p>21 Q. I have just a few questions about this</p> <p>22 document.</p> <p>23 On page 35 we have interrogatory number 6.</p> <p>24 "Please identify each person whom you know or</p> <p>25 believe has knowledge or information concerning the</p>	<p>1 LORUSSO</p> <p>2 Q. Okay. Is that in marketing or sales?</p> <p>3 A. Marketing.</p> <p>4 Q. And what's the other? What is the sales</p> <p>5 position that opened up?</p> <p>6 A. The sales position was the director of</p> <p>7 sales.</p> <p>8 Q. Who got that position?</p> <p>9 A. The name slips my mind -- oh, Nicola</p> <p>10 Amese.</p> <p>11 Q. Nicola is a man?</p> <p>12 A. I think that's his name.</p> <p>13 Q. Amese is A-R-N-E-S-E, correct?</p> <p>14 A. Yes. That's correct.</p> <p>15 Q. Do you know when the position that went to</p> <p>16 Lucia Alla opened up?</p> <p>17 A. The exact date? No.</p> <p>18 Q. Around when?</p> <p>19 A. It was after Gabriele Mariotti left.</p> <p>20 Q. Which was around October of 2006, correct?</p> <p>21 A. That's correct.</p> <p>22 Q. This was a replacement for Mr. Mariotti?</p> <p>23 A. I believe the position was reclassified or</p> <p>24 the responsibilities may have changed.</p> <p>25 Q. Mr. Mariotti was in charge of customer</p>

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<p>1 LORUSSO</p> <p>2 service as well as pricing?</p> <p>3 A. Yes.</p> <p>4 Q. Is either of those a marketing position?</p> <p>5 A. Well, customer relations was under me so</p> <p>6 it was definitely a marketing position.</p> <p>7 Q. Was under you when?</p> <p>8 A. When I was the director of marketing.</p> <p>9 Q. For how long?</p> <p>10 A. Three years.</p> <p>11 Q. Lucia Alla is a female?</p> <p>12 A. Yes.</p> <p>13 Q. Do you know her approximate age?</p> <p>14 A. About 50.</p> <p>15 Q. Approximately your age?</p> <p>16 A. Approximately my age.</p> <p>17 Q. Do you know what her experience was at</p> <p>18 Alitalia?</p> <p>19 A. She was the sales manager.</p> <p>20 Q. Had she been at Alitalia a long time?</p> <p>21 A. I believe she has.</p> <p>22 Q. As long as you, as far as you know?</p> <p>23 A. I don't think so. I don't know.</p> <p>24 Q. As sales manager, what kind of sales --</p> <p>25 did she have a specific niche as sales manager?</p>	<p>1 LORUSSO</p> <p>2 VIDEOGRAPHER: One minute.</p> <p>3 MR. KORAL: We are going to have to go off</p> <p>4 the record for a minute because the tape is</p> <p>5 out.</p> <p>6 VIDEOGRAPHER: The time is now 1:02 p.m.</p> <p>7 This concludes tape number 2 of the videotape</p> <p>8 deposition of Ms. Ester Lorusso.</p> <p>9 (A break was taken.)</p> <p>10 VIDEOGRAPHER: This is tape number 3 of</p> <p>11 the videotape deposition of Ms. Ester Lorusso.</p> <p>12 The time is now 1:04 p.m. We're back on</p> <p>13 the record.</p> <p>14 Q. What is the basis for your information</p> <p>15 that Ms. Alla does not have the same job</p> <p>16 responsibilities that Mr. Mariotti had?</p> <p>17 A. I don't believe -- repeat your question.</p> <p>18 Q. What's the basis for your belief that Ms.</p> <p>19 Alla does not have the same position that Mr.</p> <p>20 Mariotti had?</p> <p>21 A. I thought they had changed the</p> <p>22 responsibilities, but I'm not sure.</p> <p>23 Q. Did anybody tell you that?</p> <p>24 A. I don't recall.</p> <p>25 Q. You never discussed it with Lucia Alla,</p>
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<p>1 LORUSSO</p> <p>2 A. I believe it was -- to the best of my</p> <p>3 knowledge it was corporate sales.</p> <p>4 Q. And that was her position prior to</p> <p>5 becoming whatever she became in marketing that you</p> <p>6 felt you were qualified for?</p> <p>7 A. That is correct.</p> <p>8 Q. Did you talk to anybody about that</p> <p>9 position in marketing?</p> <p>10 A. Yes, I did.</p> <p>11 Q. To whom?</p> <p>12 A. To my boss at the time.</p> <p>13 Q. Your boss at the time was whom?</p> <p>14 A. Walter Longo.</p> <p>15 Q. What did Walter Longo say?</p> <p>16 A. I don't recall.</p> <p>17 Q. He was, of course, in the Cargo Division,</p> <p>18 correct?</p> <p>19 A. Correct.</p> <p>20 Q. Did you speak to anybody in the Passenger</p> <p>21 Division about that?</p> <p>22 A. No, I did not.</p> <p>23 Q. Did you speak to anybody in HR about Lucia</p> <p>24 Alla's position?</p> <p>25 A. No, I did not.</p>	<p>1 LORUSSO</p> <p>2 did you?</p> <p>3 A. No, I did not.</p> <p>4 Q. And Mr. Mariotti was gone, so you couldn't</p> <p>5 have discussed it with him, correct?</p> <p>6 A. Yes. That's correct.</p> <p>7 Q. Do you recall discussing it with anybody?</p> <p>8 A. No.</p> <p>9 Q. I am told that her title was director of</p> <p>10 sales and marketing coordination which I understand</p> <p>11 is the same title that Mr. Mariotti had.</p> <p>12 Do you have any information that Mr.</p> <p>13 Mariotti had a different title?</p> <p>14 A. When I was the director of marketing he</p> <p>15 did have a different title, so that was changed</p> <p>16 afterwards.</p> <p>17 Q. That was in 2004?</p> <p>18 A. Right.</p> <p>19 Q. Are you aware whether Mr. Mariotti got a</p> <p>20 promotion in May of 2006?</p> <p>21 A. I'm not aware.</p> <p>22 Q. Had he previously been responsible for</p> <p>23 customer relations?</p> <p>24 A. Who?</p> <p>25 Q. Mariotti, prior to May of 2006.</p>

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<p>1 LORUSSO</p> <p>2 A. I don't know.</p> <p>3 Q. Now, the job given to Nicola Amese, you</p> <p>4 said this was called director of sales?</p> <p>5 A. That's correct.</p> <p>6 Q. And you felt you qualified for that job?</p> <p>7 A. Yes.</p> <p>8 Q. What was your background, managerial</p> <p>9 background in sales?</p> <p>10 A. Managing director of GA2000.</p> <p>11 Q. You consider that a sales position?</p> <p>12 A. Yes, I do.</p> <p>13 Q. Prior to going into GA2000, what was your</p> <p>14 experience with sales?</p> <p>15 A. Well, marketing is an extension of sales.</p> <p>16 Q. In your opinion marketing and sales --</p> <p>17 marketing is an extension of sales?</p> <p>18 A. Well, they work hand in hand. We tried</p> <p>19 not to have separate departments saying this is just</p> <p>20 marketing and that's just sales.</p> <p>21 Q. But as director of marketing you were</p> <p>22 primarily involved with advertising, weren't you?</p> <p>23 A. Advertising, customer relations, I needed</p> <p>24 to interact with sales so we can work with them and</p> <p>25 provide for their needs.</p>	<p>1 LORUSSO</p> <p>2 A. Yes. He does or she does.</p> <p>3 Q. On travel agencies?</p> <p>4 A. That is one of the accounts.</p> <p>5 Q. What other kinds of accounts does the</p> <p>6 director of sales make calls on?</p> <p>7 A. Corporations.</p> <p>8 Q. All right. Anything else?</p> <p>9 A. That about covers it for that position.</p> <p>10 Q. Are these the same kind of travel agencies</p> <p>11 that GA2000 calls on?</p> <p>12 A. Yes.</p> <p>13 Q. The same?</p> <p>14 A. Part of them, yes.</p> <p>15 Q. Wasn't the major business of GA2000 ethnic</p> <p>16 sales?</p> <p>17 A. Yes. Some of those agencies also sold</p> <p>18 leisure sales.</p> <p>19 Q. But the primary focus of the director of</p> <p>20 sales is on leisure sales, correct, or agencies that</p> <p>21 focus on leisure sales?</p> <p>22 A. Repeat that question, please.</p> <p>23 (Testimony was read back.)</p> <p>24 A. Yes.</p> <p>25 Q. Wasn't Mr. Farrow primarily responsible</p>
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<p>1 LORUSSO</p> <p>2 Q. You interacted with sales?</p> <p>3 A. Yes, of course.</p> <p>4 Q. Had you held any management position in</p> <p>5 sales prior to GA2000?</p> <p>6 A. No.</p> <p>7 Q. And you regarded the GA2000 as primarily a</p> <p>8 sales position?</p> <p>9 A. Yes, sir.</p> <p>10 Q. Wasn't it an executive position, managing</p> <p>11 people?</p> <p>12 A. We were in the business of selling</p> <p>13 tickets, so it was a sales --</p> <p>14 Q. Did you make sales calls?</p> <p>15 A. Yes, I did.</p> <p>16 Q. With what frequency?</p> <p>17 A. Oh, I would say a few times a week.</p> <p>18 Q. All right. You were making sales calls on</p> <p>19 whom, on what kind of businesses?</p> <p>20 A. Travel agencies.</p> <p>21 Q. Do you know what the director of sales</p> <p>22 position involves?</p> <p>23 A. Yes, I do.</p> <p>24 Q. Does the director of sales make sales</p> <p>25 calls?</p>	<p>1 LORUSSO</p> <p>2 for ethnic sales at GA2000?</p> <p>3 A. Yes.</p> <p>4 Q. Mr. Farrow remained on the Alitalia</p> <p>5 payroll the way you did?</p> <p>6 A. Yes.</p> <p>7 Q. What happened to Mr. Farrow after GA2000</p> <p>8 closed?</p> <p>9 A. I believe he accepted a retirement</p> <p>10 package.</p> <p>11 Q. Do you know when he terminated?</p> <p>12 A. I don't recall.</p> <p>13 Q. If I told you that it was the end of 2006,</p> <p>14 would you have any reason to doubt that?</p> <p>15 A. No.</p> <p>16 Q. All right. Now, looking now at your</p> <p>17 response to interrogatory 6 which, remember, asks</p> <p>18 about people with information regarding the</p> <p>19 qualifications of anyone hired by Alitalia for any</p> <p>20 of the four jobs we were talking about, the director</p> <p>21 of sales, Lucia Alla's position, the director of</p> <p>22 regulatory affairs and the vice president of</p> <p>23 regulatory affairs.</p> <p>24 Does Dursun Oksus have any information</p> <p>25 regarding the qualifications of Nicola Amese?</p>

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<p>1 LORUSSO</p> <p>2 A. No.</p> <p>3 Q. Does he have any information regarding the</p> <p>4 qualifications of Lucia Alla, as far as you know?</p> <p>5 A. No.</p> <p>6 Q. So why is Dursun Oxsus's name here?</p> <p>7 A. Because he has the information regarding</p> <p>8 the vice president, VP of regulatory affairs.</p> <p>9 Q. Because he got that job?</p> <p>10 A. Yes.</p> <p>11 Q. What information do you believe he has</p> <p>12 about the qualifications or his qualifications for</p> <p>13 VP of regulatory affairs?</p> <p>14 A. Information regarding the scope of the</p> <p>15 work.</p> <p>16 Q. Okay. Did you ever discuss with him</p> <p>17 whether he had any idea about the scope of the work</p> <p>18 of the VP of regulatory affairs?</p> <p>19 A. No.</p> <p>20 Q. Did you ever discuss that with anybody,</p> <p>21 apart from what you testified about the rumors and</p> <p>22 so on?</p> <p>23 A. Yes.</p> <p>24 Q. All right. With whom?</p> <p>25 A. One was Eugene Massimillo.</p>	<p>1 LORUSSO</p> <p>2 Q. Frustration for what reasons? Did he give</p> <p>3 any?</p> <p>4 A. Yes. He said that he was incompetent.</p> <p>5 Q. Did he say anything else?</p> <p>6 A. He was really incompetent.</p> <p>7 Q. As in very incompetent?</p> <p>8 A. Extremely incompetent.</p> <p>9 Q. Did he give you examples of that?</p> <p>10 A. I believe he did.</p> <p>11 Q. This was just by way of conversation?</p> <p>12 A. Yes.</p> <p>13 Q. This occurred, of course, after Mr. Oksus</p> <p>14 became vice president of regulatory affairs?</p> <p>15 A. That is correct.</p> <p>16 Q. Which was approximately March of 2007?</p> <p>17 A. No.</p> <p>18 Q. 2006. I'm sorry.</p> <p>19 A. That's okay.</p> <p>20 Q. March of 2006. That wasn't intentional.</p> <p>21 A. I understand. Yes.</p> <p>22 Q. You started in Cargo in April of 2006,</p> <p>23 right?</p> <p>24 A. That's correct.</p> <p>25 Q. Did you have any business reason to be</p>
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<p>1 LORUSSO</p> <p>2 Q. Who was Eugene Massimillo?</p> <p>3 A. He is an attorney for -- I can't remember</p> <p>4 the name of the law firm. I'm sorry.</p> <p>5 Q. Is it a law firm that Alitalia uses?</p> <p>6 A. Yes.</p> <p>7 Q. It's the law firm that handles regulatory</p> <p>8 matters for Alitalia?</p> <p>9 A. That is correct.</p> <p>10 Q. How did you come to have this conversation</p> <p>11 with Eugene Massimillo?</p> <p>12 A. He would speak on a pretty regular basis.</p> <p>13 We had worked pretty closely because when I was in</p> <p>14 charge of customer relations we had a lot of</p> <p>15 interaction. So in these conversations, these</p> <p>16 telephone conversations, the matter would arise</p> <p>17 about Dursun Oksus.</p> <p>18 Q. This was before you were in Cargo or while</p> <p>19 you were in Cargo or both?</p> <p>20 A. I don't recall.</p> <p>21 Q. What do you recall about your</p> <p>22 conversations with Mr. Massimillo about Dursun</p> <p>23 Oksus?</p> <p>24 A. He expressed frustration in working with</p> <p>25 Mr. Dursun.</p>	<p>1 LORUSSO</p> <p>2 talking to Mr. Massimillo while you were in Cargo?</p> <p>3 A. I don't think so.</p> <p>4 Q. But you had conversations with him about</p> <p>5 Mr. Oksus anyway. Is that fair?</p> <p>6 A. Yes. I did have a business reason. I</p> <p>7 remember one day he called me because he had</p> <p>8 something in Italian that he wanted to know -- from</p> <p>9 Alitalia and he wanted to know if I would give him a</p> <p>10 hand with it as far as translation or as far as what</p> <p>11 the meaning was.</p> <p>12 Q. Mr. Massimillo doesn't speak Italian?</p> <p>13 A. That's correct.</p> <p>14 Q. He doesn't have people in his office who</p> <p>15 speak Italian, as far as you know?</p> <p>16 A. As far as I know.</p> <p>17 Q. Have you done this for him before?</p> <p>18 A. No.</p> <p>19 Q. He kind of picked on you now?</p> <p>20 A. No. We were friendly, as I mentioned. We</p> <p>21 were friendly.</p> <p>22 Q. When was the last time you spoke with him?</p> <p>23 A. A few months ago.</p> <p>24 Q. What was the occasion of doing so?</p> <p>25 A. He called me to say hi.</p>

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<p>1 LORUSSO</p> <p>2 Q. Did you discuss your lawsuit at all?</p> <p>3 A. No.</p> <p>4 Q. Have you ever discussed your lawsuit with</p> <p>5 Mr. Massimillo?</p> <p>6 A. No.</p> <p>7 Q. Have you ever discussed your belief that</p> <p>8 you were discriminated against with Mr. Massimillo?</p> <p>9 A. Yes.</p> <p>10 Q. When did you do that?</p> <p>11 A. I don't recall.</p> <p>12 Q. Was it in connection with Mr. Oxsus's</p> <p>13 appointment?</p> <p>14 A. Yes.</p> <p>15 Q. Did you ever speak with Mr. Massimillo</p> <p>16 about your feeling about discrimination at any time</p> <p>17 other than about Mr. Oxsus's appointment?</p> <p>18 A. It could be.</p> <p>19 Q. Did you ever speak with Franco Gallo about</p> <p>20 your belief that it was discrimination against you</p> <p>21 when Oksus was appointed vice president of</p> <p>22 regulatory affairs?</p> <p>23 A. I remember bringing up the subject with</p> <p>24 him and I remember being immediately dismissed. In</p> <p>25 other words, he did not want to have the</p>	<p>1 LORUSSO</p> <p>2 incompetence?</p> <p>3 A. I don't recall.</p> <p>4 Q. Okay.</p> <p>5 A. I don't recall.</p> <p>6 Q. What qualifications did you believe you</p> <p>7 had for the job of vice president of regulatory</p> <p>8 affairs?</p> <p>9 A. I was in charge of customer relations and</p> <p>10 based on that, that's why I believed I had the</p> <p>11 qualifications.</p> <p>12 Q. Do you know what the vice president of</p> <p>13 regulatory affairs does?</p> <p>14 A. Yes.</p> <p>15 Q. Pardon?</p> <p>16 A. Yes.</p> <p>17 Q. What does the vice president of regulatory</p> <p>18 affairs do?</p> <p>19 A. Deals with government agencies, makes sure</p> <p>20 the airline is doing the right thing.</p> <p>21 Q. That is the FAA?</p> <p>22 A. That is correct.</p> <p>23 Q. Any other government agencies?</p> <p>24 A. I can't recall right now.</p> <p>25 Q. Homeland Security?</p>
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<p>1 LORUSSO</p> <p>2 conversation.</p> <p>3 Q. Did he walk away?</p> <p>4 A. I don't recall.</p> <p>5 Q. You don't recall how you got dismissed?</p> <p>6 A. Yes.</p> <p>7 Q. He didn't yell and scream at you, though?</p> <p>8 A. No.</p> <p>9 Q. He just shut down --</p> <p>10 A. Yes.</p> <p>11 Q. -- the discussion? Did Mr. Massimillo</p> <p>12 give any examples of Dursun Oxsus's incompetence?</p> <p>13 And by that I mean things Oksus had done that a vice</p> <p>14 president of regulatory shouldn't have done?</p> <p>15 A. A silly thing comes to mind right now</p> <p>16 where he kept referring to him in writing as Jene</p> <p>17 Massimillo, J-E-N-E, rather than his name, Gene,</p> <p>18 G-E-N-E.</p> <p>19 Q. His name is probably Eugene, actually?</p> <p>20 A. It is Eugene but everyone knows him as</p> <p>21 Gene. Apparently Dursun was working with him for a</p> <p>22 while and he still kept writing to him as J-E-N-E.</p> <p>23 Q. That bugged him?</p> <p>24 A. Yes.</p> <p>25 Q. But you don't recall any other examples of</p>	<p>1 LORUSSO</p> <p>2 A. Yes.</p> <p>3 Q. Any others?</p> <p>4 A. I can't recall -- Immigration.</p> <p>5 Q. I think that's part of Homeland Security</p> <p>6 right now.</p> <p>7 Anyway, do you have any background in</p> <p>8 dealing with immigration?</p> <p>9 A. Yes, because of the fines we used to get</p> <p>10 and they used to come to the customer relations</p> <p>11 office.</p> <p>12 Q. Fines from whom?</p> <p>13 A. When the ticket agents at the airports did</p> <p>14 not properly check documentation.</p> <p>15 Q. You mean --</p> <p>16 A. -- passports that expired, so on and so</p> <p>17 forth.</p> <p>18 Q. Okay.</p> <p>19 A. The airline would get fined.</p> <p>20 Q. By FAA?</p> <p>21 A. Correct. By whichever government agency</p> <p>22 it was at the time, and the fines would come through</p> <p>23 our office.</p> <p>24 Q. Did you actually deal with any government</p> <p>25 agencies as a result of that?</p>

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2 A. No.

3 Q. You mean they just were processed through

4 your office?

5 A. Correct. So we would see what they were

6 regarding and so on and so forth.

7 Q. So this is your experience with

8 Immigration?

9 A. Right.

10 Q. What about with the FAA? Did you have any

11 experience with them?

12 A. No.

13 Q. Did Mr. Massimillo ever tell you he

14 thought you were qualified for VP of regulatory

15 affairs?

16 A. Yes.

17 Q. He said so?

18 A. Yes.

19 Q. He doesn't appear on any list that you've

20 given us of potential witnesses.

21 A. Can I clarify that a bit?

22 Q. Okay. I think you better. Go ahead.

23 A. In regards to Dursun getting the job, I

24 was qualified to getting the position.

25 Q. Meaning, you weren't necessarily qualified

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2 A. Yes. He believed he was incompetent.

3 Q. How many conversations with Orlando did

4 you have about Dursun Oxsus's appointment?

5 A. I don't recall.

6 Q. Orlando had been the vice president of

7 regulatory affairs, correct?

8 A. No.

9 Q. He had been the director of regulatory

10 affairs?

11 A. I'm sorry. Yes, he was the VP.

12 Q. He was the VP?

13 A. Yes, I'm sorry.

14 Q. And then he took the early retirement

15 package at some point?

16 A. Yes. To the best of my knowledge, yes.

17 Q. And that's how the vacancy was created for

18 Dursun Oksus to get appointed?

19 A. That's correct.

20 Q. But didn't Mr. D'Oro stay on as a

21 consultant?

22 A. Yes, he did.

23 Q. Did Mr. D'Oro mention that he was supposed

24 to be training Mr. Oksus?

25 A. Yes, he did.

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2 but you were better qualified than Dursun?

3 A. That is correct.

4 Q. Your basis for saying that is your work in

5 customer relations?

6 A. Yes.

7 Q. And your fluency in English?

8 A. Yes.

9 Q. Anything else?

10 A. I had gone through a crisis management

11 course --

12 Q. Okay.

13 A. -- a few years ago.

14 Q. Did you ever discuss Dursun Oxsus's

15 appointment with Orlando D'Oro?

16 A. Yes.

17 Q. When did you do that?

18 A. I don't recall.

19 Q. Was it around the time that Dursun Oksus

20 was appointed?

21 A. Yes.

22 Q. What did Mr. D'Oro say?

23 A. He was in disbelief that Dursun got the

24 position.

25 Q. Did he give any reason for his disbelief?

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2 Q. Did he feel that Dursun Oksus was capable

3 of being trained?

4 A. No.

5 Q. He said so?

6 A. I believe so.

7 Q. You are sure?

8 A. I'm not sure.

9 Q. So Dursun Oxsus's knowledge about his own

10 qualifications are that he got hired and that

11 everyone else thought he was incompetent. Is that a

12 fair summary?

13 MS. KURZON: Objection. I don't --

14 MR. KORAL: You're right. I'll withdraw

15 that.

16 Q. What does Dursun Oksus know about his

17 qualifications for vice president that you haven't

18 already testified to?

19 MS. KURZON: Objection. I don't

20 understand. You are asking her to speak to

21 what Dursun Oksus believes to be his own

22 qualifications?

23 MR. KORAL: He was listed as somebody with

24 knowledge and information. Yes, I am.

25 What knowledge and information do you all

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<p>1 LORUSSO</p> <p>2 A. No, not my notes. Perhaps your notes.</p> <p>3 Q. Oh, we've given you what we have.</p> <p>4 You think that Mr. -- somebody told you,</p> <p>5 you don't remember who, that Mr. Pausini changed the</p> <p>6 review?</p> <p>7 A. Yes. I believe he came to New York to do</p> <p>8 it.</p> <p>9 Q. He came to New York to change the review?</p> <p>10 A. Yes. One of the reasons why he was in New</p> <p>11 York.</p> <p>12 Q. Because he had already been transferred</p> <p>13 back to Rome?</p> <p>14 A. Yes.</p> <p>15 Q. And Mr. Libutti was in charge here,</p> <p>16 correct?</p> <p>17 A. Yes.</p> <p>18 Q. Paragraph 18 says that "Mr. Libutti was</p> <p>19 immediately dismissive of plaintiff."</p> <p>20 In what ways was Mr. Libutti dismissive of</p> <p>21 you immediately?</p> <p>22 A. He basically wanted to know about our</p> <p>23 advertising practices and made it clear to me that</p> <p>24 that wasn't the way things should be done.</p> <p>25 Q. Okay. Can you think of any specific</p>	<p>1 LORUSSO</p> <p>2 A. Yes.</p> <p>3 Q. So he didn't criticize the advertising --</p> <p>4 A. In other words, he came to the States and</p> <p>5 said, This is the way we used to do it in Argentina.</p> <p>6 This is the way it should be done. This is the way</p> <p>7 we did it in Argentina.</p> <p>8 Q. Did you change the way you were doing</p> <p>9 things to conform to what Mr. Libutti wanted?</p> <p>10 A. I think I tried to appease him with</p> <p>11 certain things, yes.</p> <p>12 Q. With certain things?</p> <p>13 A. Yes.</p> <p>14 Q. But he continued to feel that he wanted it</p> <p>15 done differently?</p> <p>16 A. Yes.</p> <p>17 Q. Paragraph 18 continues, "He made it clear</p> <p>18 that women" -- clear to you, I'm sorry -- "that</p> <p>19 women were not meant to serve in executive</p> <p>20 capacities."</p> <p>21 How did he do that?</p> <p>22 A. By taking parts of my job away and giving</p> <p>23 them to Tim O'Neill.</p> <p>24 Q. What parts were those?</p> <p>25 A. Yearly sales meeting.</p>
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<p>1 LORUSSO</p> <p>2 examples where he didn't like the way things were</p> <p>3 being done?</p> <p>4 A. I can't think of anything specific right</p> <p>5 now.</p> <p>6 Q. Did Mr. Libutti continue during the time</p> <p>7 he remained as director in marketing in the</p> <p>8 Passenger Division that he didn't like the way the</p> <p>9 advertising was being done?</p> <p>10 A. Excuse me?</p> <p>11 Q. Did Mr. Libutti continue to make it clear</p> <p>12 to you that he didn't like the way the advertising</p> <p>13 was being done as long as you remained in Passenger?</p> <p>14 A. Mr. Libutti was negative about anything</p> <p>15 that had to do with me, so it's hard to pinpoint</p> <p>16 whether he continued or he didn't continue.</p> <p>17 Q. Did he continue, for example, to criticize</p> <p>18 the advertising?</p> <p>19 A. He didn't continue to criticize the</p> <p>20 advertising. He would continue to criticize</p> <p>21 anything I had to do.</p> <p>22 Q. Well, advertising was a big --</p> <p>23 A. With the advertising.</p> <p>24 Q. Advertising was a big part of what you</p> <p>25 did, correct?</p>	<p>1 LORUSSO</p> <p>2 Q. You used to run a yearly sales meeting?</p> <p>3 A. The organization of the yearly sales</p> <p>4 meeting, yes.</p> <p>5 Q. You organized it?</p> <p>6 A. Yes.</p> <p>7 Q. Whom did he give that to?</p> <p>8 A. Tim O'Neill.</p> <p>9 Q. Who?</p> <p>10 A. Tim O'Neill.</p> <p>11 Q. Tim O'Neill, who was in sales?</p> <p>12 A. Who was a fellow director.</p> <p>13 Q. Tim O'Neill's title was sales and</p> <p>14 alliance --</p> <p>15 A. -- coordination.</p> <p>16 Q. -- coordination?</p> <p>17 A. That's correct.</p> <p>18 Q. The alliance referred to, by the way, just</p> <p>19 so we were clear, that's the Sky Team alliance with</p> <p>20 Delta and other airlines?</p> <p>21 A. That's correct.</p> <p>22 Q. Air France, I think.</p> <p>23 Other than taking some of your</p> <p>24 responsibilities away, such as the yearly sales</p> <p>25 meeting, how else did he make it clear to you that</p>

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<p>1 LORUSSO</p> <p>2 women didn't belong in executive positions?</p> <p>3 A. By giving me menial tasks.</p> <p>4 Q. Mr. Libutti gave you menial tasks?</p> <p>5 A. Yes.</p> <p>6 Q. Such as?</p> <p>7 A. I recall one day he came in with shopping</p> <p>8 bags full of his home videos that he wanted</p> <p>9 transferred to DVDs.</p> <p>10 Q. Yes?</p> <p>11 A. And he handed them to me so that I could</p> <p>12 get them done for him.</p> <p>13 Q. So that you could get them done for him</p> <p>14 where?</p> <p>15 A. At our ad agency.</p> <p>16 Q. So it was the ad agency would did that,</p> <p>17 correct?</p> <p>18 A. They expected them to do that.</p> <p>19 Q. He didn't ask you to do it.</p> <p>20 A. He asked me to ask them to do it.</p> <p>21 Q. And you were the liaison to the ad agency.</p> <p>22 Wasn't that your principal job?</p> <p>23 A. Yes. At no cost, I might add.</p> <p>24 Q. Okay. The ad agency refused?</p> <p>25 A. I don't know what happened because I gave</p>	<p>1 LORUSSO</p> <p>2 clear to you that women were not meant to serve in</p> <p>3 executive capacities. You said, one, he transferred</p> <p>4 responsibilities away from you, one of it was the</p> <p>5 sales meeting. What else?</p> <p>6 A. We had a yearly symposium which my</p> <p>7 department organized. He also gave that to Tim</p> <p>8 O'Neill.</p> <p>9 Q. Who in your department did the organizing</p> <p>10 of that?</p> <p>11 A. Elizabeth Santella.</p> <p>12 Q. Elizabeth Santella?</p> <p>13 A. Yes.</p> <p>14 Q. What was her title at the time?</p> <p>15 A. I believe it was sales promotion manager.</p> <p>16 Q. Did Elizabeth --</p> <p>17 A. -- or marketing communications manager. I</p> <p>18 don't recall at the time.</p> <p>19 Q. Did he transfer Elizabeth Santella to</p> <p>20 report to Tim O'Neill at that time?</p> <p>21 A. No.</p> <p>22 Q. What else did he take away from you?</p> <p>23 A. The marketing component of the sales team</p> <p>24 alliance. I used to handle that and then he wanted</p> <p>25 Tim O'Neill to handle that.</p>
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<p>1 LORUSSO</p> <p>2 the bag -- I felt that I was in a compromising</p> <p>3 position because I was the liaison to the ad agency.</p> <p>4 So I handed the shopping bags to his secretary, to</p> <p>5 his assistant, and I asked her to follow up on it.</p> <p>6 Q. You told her to follow up on it?</p> <p>7 A. I asked her to.</p> <p>8 Q. You didn't do what Mr. Libutti asked, you</p> <p>9 told his secretary to do what Mr. Libutti asked?</p> <p>10 A. Mr. Libutti was asking me to do something</p> <p>11 that was personal in nature and not business</p> <p>12 oriented and he was asking me to do it without being</p> <p>13 charged. So I really felt that I would be</p> <p>14 compromising my position as the liaison between the</p> <p>15 agency and Alitalia.</p> <p>16 Q. Did you tell that to Mr. Libutti's</p> <p>17 secretary?</p> <p>18 A. What do you mean?</p> <p>19 Q. Did you say to her, You better do this</p> <p>20 because I feel my position would be compromised if I</p> <p>21 give this to the ad agency?</p> <p>22 A. I believe I did.</p> <p>23 Q. Did you say it to Mr. Libutti?</p> <p>24 A. I don't recall.</p> <p>25 Q. Going back to ways in which he made it</p>	<p>1 LORUSSO</p> <p>2 Q. When you say, "the sales team," you mean</p> <p>3 the Sky Team alliance?</p> <p>4 A. I'm sorry, the Sky Team alliance.</p> <p>5 Q. So Tim started handling the marketing</p> <p>6 component of Sky Team?</p> <p>7 A. Yes.</p> <p>8 Q. How much of your job did that involve?</p> <p>9 A. I would say about 15 percent.</p> <p>10 Q. Anything else you can think of that was</p> <p>11 transferred?</p> <p>12 A. No, but I did write to Libutti all of the</p> <p>13 items that he was -- that concerned us.</p> <p>14 Q. Okay. You complained about this to</p> <p>15 Libutti?</p> <p>16 A. Yes, I did.</p> <p>17 Q. What's your basis for thinking it was</p> <p>18 because you're a woman that he transferred these</p> <p>19 things to Tim O'Neill? Do you have a basis for it?</p> <p>20 A. I was the only woman, female director.</p> <p>21 Q. Any other reason?</p> <p>22 A. Probably that's because Libutti came with</p> <p>23 the reputation of, you know, treating women as --</p> <p>24 not treating women well.</p> <p>25 Q. He came with that reputation?</p>

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<p>1 LORUSSO</p> <p>2 passed on to us?</p> <p>3 A. Yes, of course.</p> <p>4 MS. KURZON: Or notes that you reviewed</p> <p>5 because they've been produced by Alitalia?</p> <p>6 THE WITNESS: Of course.</p> <p>7 Q. In paragraph 20 you say that he "shifted</p> <p>8 duties to a less experienced male colleague."</p> <p>9 Who was that? Was that Tim O'Neill?</p> <p>10 A. Yes, it is.</p> <p>11 Q. Less experienced in what way?</p> <p>12 A. In marketing.</p> <p>13 Q. What's Tim O'Neill's background? Sales?</p> <p>14 A. Yes.</p> <p>15 Q. Tim O'Neill is approximately your age or a</p> <p>16 little older?</p> <p>17 A. A little older.</p> <p>18 Q. Do you know if he came to the travel</p> <p>19 industry, the airline industry late in life?</p> <p>20 A. No.</p> <p>21 Q. As far as you know, that's what he's</p> <p>22 always done?</p> <p>23 A. Yes.</p> <p>24 Q. What tasks were given to Francesca Forte</p> <p>25 as alleged in paragraph 22?</p>	<p>1 LORUSSO</p> <p>2 Q. Do you know when that occurred?</p> <p>3 A. I don't remember at this time.</p> <p>4 Q. Were you still at GA2000 when she was</p> <p>5 transferred to Rome?</p> <p>6 A. I believe so.</p> <p>7 Q. Had you just begun in GA2000 when she was</p> <p>8 transferred to Rome?</p> <p>9 A. I don't remember.</p> <p>10 Q. And, as you said, they split up your</p> <p>11 responsibilities and gave them to different people?</p> <p>12 A. Yes.</p> <p>13 Q. Anybody besides Tim O'Neill and Francesca</p> <p>14 Forte?</p> <p>15 A. I believe Lisa Del Percio was doing a few</p> <p>16 things, and she was --</p> <p>17 Q. Lisa, L-I-S-A?</p> <p>18 A. Yes.</p> <p>19 Q. Del Persio.</p> <p>20 Do you recall anything specific that Lisa</p> <p>21 was doing that you had done?</p> <p>22 A. That my department had done? She was</p> <p>23 handling barter, promotional barter.</p> <p>24 Q. Was she a manager?</p> <p>25 A. No.</p>
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<p>1 LORUSSO</p> <p>2 A. Francesca Forte was given the</p> <p>3 responsibility of advertising.</p> <p>4 Q. Francesca Forte got the responsibilities</p> <p>5 of advertising?</p> <p>6 A. Yes.</p> <p>7 Q. What was her position prior to your</p> <p>8 transfer to GA2000?</p> <p>9 A. I don't remember her title, but she</p> <p>10 reported to me.</p> <p>11 Q. Was she a manager?</p> <p>12 A. No.</p> <p>13 Q. She was an administrative assistant?</p> <p>14 A. I think her title had representative in</p> <p>15 it, the word "representative."</p> <p>16 Q. And she got the same responsibilities for</p> <p>17 advertising that you had had?</p> <p>18 A. Yes, she did. My work was split up.</p> <p>19 Q. Isn't it true that advertising was moved</p> <p>20 to Rome at this time, in 2004?</p> <p>21 A. Actually, it was supposed to have been</p> <p>22 moved to Rome, but I believe that first Francesca</p> <p>23 Forte was working on it in New York and then she was</p> <p>24 transferred along with the responsibility. She was</p> <p>25 transferred to Rome.</p>	<p>1 LORUSSO</p> <p>2 Q. Had she been doing that before you went to</p> <p>3 GA2000, under your supervision, I mean?</p> <p>4 A. No, no. She reported directly to Libutti.</p> <p>5 She was his assistant.</p> <p>6 Q. She was this assistant?</p> <p>7 A. Yes.</p> <p>8 Q. His administrative assistant?</p> <p>9 A. Yes.</p> <p>10 Q. So she got the administrative barter --</p> <p>11 pardon me, the promotional barter?</p> <p>12 A. Yes.</p> <p>13 Q. Can you think of anybody else that got</p> <p>14 some of your responsibilities?</p> <p>15 A. Not at this time.</p> <p>16 Q. Paragraph 24 states that you knew that</p> <p>17 GA2000 would soon close. Your testimony earlier was</p> <p>18 that you were concerned that it might close because</p> <p>19 Alitalia was closing subsidiaries.</p> <p>20 Did you have any specific knowledge that</p> <p>21 it would close or does "knew" here mean really</p> <p>22 suspected?</p> <p>23 A. I suspected.</p> <p>24 Q. You feared it?</p> <p>25 A. I feared it.</p>

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<p>1 LORUSSO</p> <p>2 Q. Twenty-eight states, "In or around the</p> <p>3 summer of 2005, Mr. Libutti announced that the</p> <p>4 company intended to rejuvenate the New York office</p> <p>5 and get rid of the 'old faces.'"</p> <p>6 You say "announced." Was this at a</p> <p>7 meeting?</p> <p>8 A. I don't recall.</p> <p>9 Q. Was this the statement that Mr. Mariotti</p> <p>10 reported to you or are you thinking of something</p> <p>11 specific? Something else, I mean.</p> <p>12 A. I believe it was the statement that</p> <p>13 Mariotti reported to me.</p> <p>14 Q. So you never heard Libutti say this?</p> <p>15 A. No.</p> <p>16 Q. Paragraph 30 states that in October of</p> <p>17 2005 you again complained of age and gender</p> <p>18 discrimination.</p> <p>19 To whom did you make that complaint?</p> <p>20 A. I don't recall.</p> <p>21 Q. Do you recall whether it was in writing?</p> <p>22 A. I think I did put it in writing.</p> <p>23 Q. All right. I haven't seen -- I'll just</p> <p>24 represent to you I have not seen anything in writing</p> <p>25 between 2004 and, let's say, 2006. I haven't seen</p>	<p>1 LORUSSO</p> <p>2 anything, or, if so, what they said?</p> <p>3 A. Right.</p> <p>4 Q. Now, when GA2000 was closed, what happened</p> <p>5 to the employees of GA2000?</p> <p>6 A. We let them go.</p> <p>7 Q. They were all terminated?</p> <p>8 A. They were all terminated.</p> <p>9 Q. What kind of severance did they get?</p> <p>10 A. Two weeks' salary.</p> <p>11 Q. Two weeks' salary, period?</p> <p>12 A. Yes.</p> <p>13 Q. And the only exceptions to that were</p> <p>14 yourself, who was kept on, although you may not have</p> <p>15 had responsibilities to perform, and Mr. Farrow who</p> <p>16 took early retirement?</p> <p>17 A. Right. And the two of us were employed by</p> <p>18 Alitalia and all the employees that were terminated</p> <p>19 were employed by GA2000.</p> <p>20 Q. Those employees were quite young, weren't</p> <p>21 they, for the most part?</p> <p>22 A. The GA2000 employees?</p> <p>23 Q. Yes.</p> <p>24 A. It was mixed.</p> <p>25 Q. Mixed?</p>
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<p>1 LORUSSO</p> <p>2 an October 2005 complaint.</p> <p>3 I just wonder, do you remember whether it</p> <p>4 was in writing?</p> <p>5 A. No. I don't remember.</p> <p>6 I believe that October 2005 was when I was</p> <p>7 told that GA2000 was closing, therefore I, most</p> <p>8 probably, said at that time to Libutti and Gallo</p> <p>9 that this was done on purpose.</p> <p>10 Q. You don't have a specific recollection of</p> <p>11 saying that to Libutti and Gallo?</p> <p>12 A. Yes. I did say it to them.</p> <p>13 Q. You have a specific recollection?</p> <p>14 A. I have a specific recollection.</p> <p>15 Q. Can you remember where that was said?</p> <p>16 A. It must have been in Libutti's office. I</p> <p>17 am not certain.</p> <p>18 Q. You don't recollect that?</p> <p>19 A. I don't recollect that.</p> <p>20 Q. But you recollect saying it?</p> <p>21 A. Yes.</p> <p>22 Q. Do you recollect what reaction you got</p> <p>23 from either one of them?</p> <p>24 A. No. I don't recollect.</p> <p>25 Q. You don't recall if either of them said</p>	<p>1 LORUSSO</p> <p>2 A. I think so.</p> <p>3 Q. They weren't mostly young, relatively</p> <p>4 low-paid employees?</p> <p>5 A. They were low-paid employees and most of</p> <p>6 them were hired through a temp agency.</p> <p>7 Q. You didn't do the hiring. They were in</p> <p>8 place when you got there, correct?</p> <p>9 A. Most of them, yes.</p> <p>10 Q. Who was your predecessor as general</p> <p>11 manager of GA2000?</p> <p>12 A. Jean-Paul.</p> <p>13 Q. Say it again.</p> <p>14 A. Jean-Paul. I don't know how to spell his</p> <p>15 last name.</p> <p>16 Q. J-E-A-N, hyphen, P-A-U-L?</p> <p>17 A. Correct.</p> <p>18 Q. French name?</p> <p>19 A. Yes, or Belgian, I believe he was.</p> <p>20 Q. Can you pronounce his last name?</p> <p>21 A. Steurve, S-T-E-U-R-V-E. Something like</p> <p>22 that.</p> <p>23 Q. He was general manager of GA2000 before</p> <p>24 you took over?</p> <p>25 A. I don't know if that was his exact title,</p>

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<p>1 LORUSSO</p> <p>2 but he was my predecessor.</p> <p>3 Q. Do you have any idea what your salary was</p> <p>4 compared to his?</p> <p>5 A. No, I don't.</p> <p>6 Q. Do you know why he left the job?</p> <p>7 A. No, I don't.</p> <p>8 Q. Did he stay with the company, do you know,</p> <p>9 or did they transfer him somewhere else, or you</p> <p>10 don't know what happened to him at all?</p> <p>11 A. No. I believe he left the company.</p> <p>12 Q. Do you know if he was fired?</p> <p>13 A. I don't know the circumstances of his</p> <p>14 leaving.</p> <p>15 Q. Now, when you were general manager of</p> <p>16 GA2000, who was your boss?</p> <p>17 A. That's a good question.</p> <p>18 Q. Thank you. Do you have any idea who your</p> <p>19 boss was?</p> <p>20 A. Indirectly, Libutti, and directly,</p> <p>21 Francesco Gallo.</p> <p>22 Q. Gallo was nominally president of GA2000?</p> <p>23 A. That's correct.</p> <p>24 Q. But he didn't have an office over there?</p> <p>25 He didn't --</p>	<p>1 LORUSSO</p> <p>2 A. That's correct.</p> <p>3 Q. Which one was it? I shouldn't have asked</p> <p>4 the question that way.</p> <p>5 A. He approved.</p> <p>6 Q. Formally or just informally?</p> <p>7 A. Informally.</p> <p>8 Q. You would tell him and he would say, yes,</p> <p>9 good idea --</p> <p>10 A. Yes.</p> <p>11 Q. -- that sort of thing?</p> <p>12 Now 31 says you were placed alone on an</p> <p>13 empty floor in the Empire State Building.</p> <p>14 Was there really nobody else on the 36th</p> <p>15 floor besides yourself after GA2000 closed?</p> <p>16 A. I was eventually alone and it was</p> <p>17 step-by-step. I don't recall at one point when the</p> <p>18 other offices closed.</p> <p>19 Q. GA2000 closed I think at the end of</p> <p>20 October 2005.</p> <p>21 A. Yes.</p> <p>22 Q. And so for November, December, January,</p> <p>23 February and March you were on 36 the whole time?</p> <p>24 A. Yes.</p> <p>25 Q. You didn't get moved to 37 at any point in</p>
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<p>1 LORUSSO</p> <p>2 A. No.</p> <p>3 Q. Did Gallo, in fact, supervise you while</p> <p>4 you were there?</p> <p>5 A. Yes.</p> <p>6 Q. Did he give you any evaluations?</p> <p>7 A. No.</p> <p>8 Q. In what ways did he supervise you?</p> <p>9 A. He signed my vacation slips.</p> <p>10 Q. That was it, pretty much? Well, if you</p> <p>11 wanted to fire somebody -- I think you testified</p> <p>12 that you fired a couple of people -- did you get</p> <p>13 Gallo's permission or did you just do it and</p> <p>14 informed him?</p> <p>15 A. I believe I informed him of what I wanted</p> <p>16 to do because what I found when I got to the company</p> <p>17 was a lot of employees had very low salaries rather</p> <p>18 than more quality employees at a bit higher salary.</p> <p>19 So that's about the only adjustment I made</p> <p>20 as far as the number of employees is concerned.</p> <p>21 Q. But you say you made the adjustments, he</p> <p>22 didn't make the adjustments?</p> <p>23 A. That's correct.</p> <p>24 Q. But he approved them or at least was kept</p> <p>25 informed of them?</p>	<p>1 LORUSSO</p> <p>2 that time?</p> <p>3 A. That's correct.</p> <p>4 Q. And then in April you started in Cargo,</p> <p>5 and we'll get to that later.</p> <p>6 In November, weren't there other people on</p> <p>7 36?</p> <p>8 A. I can't recall if the ticket office was</p> <p>9 still open at the time.</p> <p>10 Q. The ticket office was on 36, wasn't it?</p> <p>11 A. Yes, it was.</p> <p>12 Q. Of course they were out in the open,</p> <p>13 correct?</p> <p>14 A. No. They were in a separate office,</p> <p>15 totally, on the 36th floor.</p> <p>16 Q. A separate office with a separate door?</p> <p>17 A. Yes.</p> <p>18 Q. And you had your own office?</p> <p>19 A. GA2000?</p> <p>20 Q. Yes.</p> <p>21 A. Yes.</p> <p>22 Q. And it said GA2000 on the door?</p> <p>23 A. That's correct.</p> <p>24 Q. And those people all moved out and Farrow</p> <p>25 retired and you were left alone in the GA2000</p>

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1 LORUSSO
 2 office?
 3 A. Right.
 4 Q. At some point the ticketing office closed?
 5 A. Yes.
 6 Q. But you don't know when?
 7 A. I don't know when. I don't recall.
 8 Q. All right. You write here that Gallo
 9 found you -- that's 32 -- a position as director of
 10 marketing and communications in Cargo.
 11 How do you know that it was Gallo that did
 12 that?
 13 A. He communicated it to me in January.
 14 Q. Do you know whether Walter Longo had
 15 approved it?
 16 A. I don't know.
 17 Q. Do you know whether Libutti instructed
 18 Gallo to find that job for you?
 19 A. I don't know.
 20 Q. All you know is that Gallo is the one that
 21 told you we've got you a job in Cargo?
 22 A. Correct.
 23 Q. I think you've already testified about
 24 your effort to -- your attempt to apply for the
 25 regulatory affairs position?

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1 LORUSSO
 2 A. Yes.
 3 Q. So we don't have to discuss that.
 4 Are you sure that it was director of
 5 regulatory affairs in February of 2006? That's
 6 paragraph 38. Mr. Oksus got the job around then as
 7 vice president, didn't he?
 8 A. I don't recall.
 9 Q. Who was it who told on November 7, 2006
 10 that you'd have to interview for the director of
 11 regulatory affairs job? That's paragraph 40.
 12 A. I believe it was Mr. Porru.
 13 Q. P-O-R-R-U. He's in the room.
 14 Did he, in fact, interview you?
 15 A. Yes.
 16 Q. What do you recall about the interview?
 17 A. It seemed to have gone well.
 18 Q. Sorry?
 19 A. It seemed to have gone well.
 20 Q. What do you recall about it other than
 21 your general impression that it went well?
 22 A. That's all I recall about it.
 23 Q. Do you recall discussing your experience
 24 and qualifications in regulatory affairs?
 25 A. Yes.

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1 LORUSSO
 2 Q. And you told Mr. Porru that you felt that
 3 your customer service experience gave you
 4 qualification?
 5 A. That's correct.
 6 Q. Did he say anything?
 7 A. Pardon me?
 8 Q. Did he comment on that?
 9 A. I don't recall.
 10 Q. You've already testified you don't know
 11 whether that position was ever filled.
 12 A. Correct.
 13 Q. But it wasn't filled by you in any case?
 14 A. No, it wasn't.
 15 Q. Did you ever contact Mr. Porru again about
 16 that position?
 17 A. I don't remember.
 18 Q. By the way, isn't the IT office still on
 19 the 36th floor?
 20 A. I don't know.
 21 Q. You don't know whether the IT office --
 22 wasn't it on the 36th floor the entire time you were
 23 on the 36th floor?
 24 A. Yes. On the other side of the building.
 25 Q. But it was there?

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1 LORUSSO
 2 A. Yes.
 3 Q. Do you know any of the people in IT?
 4 A. A few.
 5 Q. Paragraph 44 is referring to the positions
 6 we've already discussed in paragraph 33, namely
 7 Lucia Alla's position and the position that went to
 8 Nicola Arnese.
 9 It says, "These position went to younger
 10 and inexperienced workers while plaintiff was not
 11 even allowed to interview for these positions."
 12 First, Lucia Alla is not younger than you,
 13 is she?
 14 A. No. She is not.
 15 Q. Nicola Arnese is?
 16 A. Yes, he is.
 17 Q. Lucia Alla is not an inexperienced worker,
 18 correct?
 19 A. No, she is not.
 20 Q. Do you know what experience Mr. Arnese
 21 has?
 22 A. Let me go back to that. Inexperienced as
 23 far as what the position entailed. Lucia Alla had
 24 never handled customer relations before. That was a
 25 huge component of the position.

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<p>1 LORUSSO</p> <p>2 Q. Now, you said that you were -- first let</p> <p>3 me say, Mr. Arnese, do you know anything about his</p> <p>4 experience?</p> <p>5 A. I think he was with the company for about</p> <p>6 a year and-a-half. He was about 33 years old and</p> <p>7 came from a different country to the United States</p> <p>8 for the first time to work.</p> <p>9 Q. Do you know whether he worked for</p> <p>10 Lufthansa at any point in his career?</p> <p>11 A. I don't know.</p> <p>12 Q. Do you know whether he worked for any</p> <p>13 other airline before he came to Alitalia?</p> <p>14 A. No.</p> <p>15 Q. Do you know what he did for Alitalia</p> <p>16 during his year and-a-half with Alitalia in Europe</p> <p>17 before he came to the U.S.?</p> <p>18 A. No. But this is basically along the same</p> <p>19 line as the questions you were asking me concerning</p> <p>20 Dursun. In comparison I believe I had stronger</p> <p>21 qualifications.</p> <p>22 Q. But you don't know what his qualifications</p> <p>23 were you just testified.</p> <p>24 A. Well --</p> <p>25 Q. The record will reflect whatever you</p>	<p>1 LORUSSO</p> <p>2 A. I think the timing was so short that I</p> <p>3 didn't even get a chance to.</p> <p>4 Q. Really?</p> <p>5 A. Yes.</p> <p>6 Q. You think that Lucia Alla was appointed to</p> <p>7 that Mariotti position within a matter of days?</p> <p>8 A. Yes.</p> <p>9 Q. Did you protest about that?</p> <p>10 A. I don't believe I did.</p> <p>11 Q. Whom did Mr. Arnese replace?</p> <p>12 A. He replaced Marco D'Illario.</p> <p>13 Q. What happened to Mr. D'Illario?</p> <p>14 A. I believe he went back to Rome.</p> <p>15 Q. All right. How long was that position</p> <p>16 vacant, if you know, between the time Mr. D'Illario</p> <p>17 left and when Mr. Marqueza came?</p> <p>18 A. I don't know.</p> <p>19 Q. Did you know that Mr. D'Illario had left?</p> <p>20 I mean, when Mr. D'Illario had left you knew that his</p> <p>21 job was open, correct?</p> <p>22 A. Yes, I believe so.</p> <p>23 Q. Did you talk to anybody about filling that</p> <p>24 job?</p> <p>25 A. No.</p>
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<p>1 LORUSSO</p> <p>2 testified about. That wasn't the question.</p> <p>3 A. Okay.</p> <p>4 Q. Although it wasn't objected to.</p> <p>5 Let me ask you this: You say that you</p> <p>6 were not even allowed to interview for those</p> <p>7 positions?</p> <p>8 A. I wasn't give the opportunity.</p> <p>9 Q. Did you ask to?</p> <p>10 A. I didn't even know they were available.</p> <p>11 Q. You knew Marqueza had quit, didn't you?</p> <p>12 A. Who?</p> <p>13 Q. You knew Marqueza had quit.</p> <p>14 A. I don't think he had anything to do with</p> <p>15 these positions.</p> <p>16 Q. Lucia Alla took Marqueza's position.</p> <p>17 A. No, Gabriele Mariotti.</p> <p>18 Q. I'm sorry. What did I say? Marqueza?</p> <p>19 Oh, that's much later. Sorry, I had the names</p> <p>20 confused.</p> <p>21 You knew that Mariotti had quit, didn't</p> <p>22 you?</p> <p>23 A. Yes, I did.</p> <p>24 Q. Did you ask about getting Mariotti's</p> <p>25 position?</p>	<p>1 LORUSSO</p> <p>2 Q. Okay. We will move on from the complaint.</p> <p>3 The next document that we will look at is</p> <p>4 Defendant's Exhibit 4. It's your EEOC charge.</p> <p>5 (Defendant's Exhibit 4, EEOC charge, was</p> <p>6 marked for identification as of this date.)</p> <p>7 Q. I'm going to ask you, first, Ms. Lorusso,</p> <p>8 have you seen this document before?</p> <p>9 A. Yes.</p> <p>10 Q. Is that your signature on the page that's</p> <p>11 stamped 0008?</p> <p>12 A. I'm sorry?</p> <p>13 Q. Is that your signature on page 8?</p> <p>14 A. Yes, it is.</p> <p>15 Q. Did you swear to the truth of this on the</p> <p>16 24th of January 2007?</p> <p>17 A. Yes, I did.</p> <p>18 Q. Did you write this yourself?</p> <p>19 A. Yes, I did.</p> <p>20 Q. And you gave it to Mr. Behrins?</p> <p>21 A. Yes, I did.</p> <p>22 Q. And he notarized it for you?</p> <p>23 A. Yes, he did.</p> <p>24 Q. Did you understand that you were filling a</p> <p>25 charge of discrimination with EEOC?</p>

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<p>1 LORUSSO</p> <p>2 work. I think you testified that was the</p> <p>3 advertising.</p> <p>4 A. Yes.</p> <p>5 Q. Do you know if Francesca Forte ever ran an</p> <p>6 advertising campaign?</p> <p>7 MS. KURZON: Prior to being given --</p> <p>8 MR. KORAL: No.</p> <p>9 Q. After being given these responsibilities,</p> <p>10 did she ever run an advertising campaign?</p> <p>11 A. I don't know.</p> <p>12 Q. Wasn't all advertising at that point being</p> <p>13 done in Rome? And by "done" I mean created and</p> <p>14 handled by Rome.</p> <p>15 A. I don't know.</p> <p>16 Q. I think you already testified that she was</p> <p>17 transferred to Rome eventually.</p> <p>18 A. Yes.</p> <p>19 Q. Sometime after the summer of 2005?</p> <p>20 A. I don't recall.</p> <p>21 Q. When Francesca Forte reported to you, what</p> <p>22 did she do? What were her responsibilities?</p> <p>23 I know you said you don't remember her</p> <p>24 title. Do you remember what her responsibilities</p> <p>25 were?</p>	<p>1 LORUSSO</p> <p>2 medical benefits, but that you rejected the offer.</p> <p>3 My first question is: Did he make this</p> <p>4 offer in writing?</p> <p>5 A. No.</p> <p>6 Q. Were any of these negotiations I'll call</p> <p>7 them about possible severance package done in</p> <p>8 writing?</p> <p>9 A. No.</p> <p>10 Q. So these were all just conversations with</p> <p>11 Libutti and Gallo?</p> <p>12 A. Correct.</p> <p>13 Q. But it was Libutti who offered the two</p> <p>14 years?</p> <p>15 A. Yes.</p> <p>16 Q. Did he offer it to you as a solid offer or</p> <p>17 did he say he would try to get it for you?</p> <p>18 A. I don't recall.</p> <p>19 Q. You say you rejected the offer because you</p> <p>20 wanted to continue working; is that right?</p> <p>21 A. Yes, sir.</p> <p>22 Q. Now, you had already been looking for jobs</p> <p>23 according to this.</p> <p>24 A. Yes.</p> <p>25 Q. And you had not been coming up with any?</p>
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<p>1 LORUSSO</p> <p>2 A. A lot of the work that Elizabeth and</p> <p>3 Francesca did overlapped, so I don't remember</p> <p>4 specifically what Francesca was doing.</p> <p>5 Q. That's Elizabeth Santella?</p> <p>6 A. Yes.</p> <p>7 Q. Did it have something to do with</p> <p>8 advertising?</p> <p>9 A. Yes.</p> <p>10 Q. To whom did Francesca report after you</p> <p>11 went to GA2000?</p> <p>12 A. To Giulio Libutti.</p> <p>13 Q. She reported directly to Giulio?</p> <p>14 A. I believe so.</p> <p>15 Q. Who, if anybody, until the summer of 2005,</p> <p>16 was handling advertising? Was Mr. Libutti doing</p> <p>17 that himself?</p> <p>18 A. I don't remember.</p> <p>19 Q. Okay. You state at the top of page 5 that</p> <p>20 you had several meetings with Gallo and Libutti</p> <p>21 about a possible severance package.</p> <p>22 Who initiated those conversations?</p> <p>23 A. I don't recall.</p> <p>24 Q. You state that Mr. Libutti offered you two</p> <p>25 years' salary, lifetime airline ticket benefits and</p>	<p>1 LORUSSO</p> <p>2 A. No.</p> <p>3 Q. Because of your age and your level?</p> <p>4 A. I believe so.</p> <p>5 Q. Did the headhunters tell you that?</p> <p>6 A. No.</p> <p>7 Q. They did not say, Oh, you're too old to</p> <p>8 get a job. You've got to stay where you are, alone</p> <p>9 on the 36th floor.</p> <p>10 They did not say something like that?</p> <p>11 A. No. Not that I recall.</p> <p>12 Q. Once you were in Cargo, what were your</p> <p>13 activities? What jobs, tasks did you perform?</p> <p>14 A. It wasn't clear.</p> <p>15 Q. Okay. It states here, third paragraph</p> <p>16 from the bottom on page 5 you began working on an</p> <p>17 e-mail database.</p> <p>18 Was that assigned to you?</p> <p>19 A. No. It was not.</p> <p>20 Q. It was something that you saw a need for</p> <p>21 and decided to develop?</p> <p>22 A. That is correct.</p> <p>23 Q. In fact, it was to be a Cargo contacts</p> <p>24 directory, wasn't it? Wasn't that what you</p> <p>25 envisioned?</p>

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<p>1 LORUSSO</p> <p>2 A. Clients directory. Yes, a client</p> <p>3 database.</p> <p>4 Q. And you distributed drafts of it at</p> <p>5 different time to various managers and directors in</p> <p>6 Cargo and asked them for input?</p> <p>7 A. Yes.</p> <p>8 Q. And you got that input from them?</p> <p>9 A. Yes.</p> <p>10 Q. You also put together newsletters?</p> <p>11 A. Yes.</p> <p>12 Q. And also, didn't you develop fliers?</p> <p>13 A. Yes, I did.</p> <p>14 Q. Didn't you get a lot of very positive</p> <p>15 feedback about the fliers you developed?</p> <p>16 A. Yes, I did.</p> <p>17 Q. Certainly from Canada, in any event, and</p> <p>18 Chicago?</p> <p>19 A. I believe so.</p> <p>20 Q. So you weren't without things to do,</p> <p>21 although some of these were things that you</p> <p>22 developed yourself such as the idea for the</p> <p>23 database, correct?</p> <p>24 A. That is correct.</p> <p>25 Q. You state that Mr. DiFeo was given a</p>	<p>1 LORUSSO</p> <p>2 compensation with Mr. Gallo?</p> <p>3 A. No. I did not.</p> <p>4 Q. Let's take a look at page 6, the second</p> <p>5 full paragraph. This deals with Mr. Mariotti. Mr.</p> <p>6 Mariotti had been pricing director, it says, and</p> <p>7 then in May he became director sales and marketing</p> <p>8 coordination, Passenger Division, and he got the</p> <p>9 customer relations department.</p> <p>10 So at this point in time Mr. Mariotti had</p> <p>11 pricing, he had customer relations. He also had</p> <p>12 sales coordination and the alliance, didn't he?</p> <p>13 A. I don't recall. I do remember him having</p> <p>14 pricing and customer relations.</p> <p>15 Q. How about sales coordination?</p> <p>16 A. I don't recall.</p> <p>17 Q. His title is director sales and marketing</p> <p>18 coordination, Passenger Division?</p> <p>19 A. Right.</p> <p>20 Q. Did he ever tell you that he had -- what</p> <p>21 his responsibilities were?</p> <p>22 A. I knew his responsibilities as pricing</p> <p>23 director and marketing. I wasn't quite clear on the</p> <p>24 sales coordination part.</p> <p>25 Q. Marketing coordination, correct?</p>
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<p>1 LORUSSO</p> <p>2 yearly stipend of approximately \$60,000 for his</p> <p>3 apartment. How did you know that?</p> <p>4 A. I don't remember. I don't recall.</p> <p>5 Q. Are you aware that Mr. DiFeo is an</p> <p>6 ex-patriot?</p> <p>7 A. Yes.</p> <p>8 Q. And you know that ex-patriot compensation</p> <p>9 is very different from a local national</p> <p>10 compensation?</p> <p>11 A. Yes.</p> <p>12 Q. Ex-patriots often get living allowance and</p> <p>13 schooling allowances and taxes grossed up and all</p> <p>14 that stuff. Are you aware of that?</p> <p>15 A. Yes, I am.</p> <p>16 Q. How do you know that Mr. DiFeo's salary</p> <p>17 was \$95,000?</p> <p>18 A. I don't recall.</p> <p>19 Q. Do you know for a fact that it is or</p> <p>20 you're not really sure?</p> <p>21 MS. KURZON: Objection.</p> <p>22 Q. Do you know for a fact that his salary was</p> <p>23 \$95,000?</p> <p>24 A. No. I don't know for a fact.</p> <p>25 Q. Did you ever discuss Mr. DiFeo's</p>	<p>1 LORUSSO</p> <p>2 A. Right.</p> <p>3 Q. In Passenger?</p> <p>4 A. Right.</p> <p>5 Q. You weren't really interacting with him in</p> <p>6 business because you were in Cargo and there was no</p> <p>7 real need to interact with Mr. Mariotti except on a</p> <p>8 friendly level; is that correct?</p> <p>9 A. That's correct.</p> <p>10 Q. Are you aware that Lucia Alla now is</p> <p>11 responsible for pricing?</p> <p>12 A. Yes.</p> <p>13 Q. And that she is responsible for sales</p> <p>14 coordination?</p> <p>15 A. If that's her title, then yes.</p> <p>16 Q. I'm not representing what her title is.</p> <p>17 A. Okay.</p> <p>18 Q. Also, she is responsible for customer</p> <p>19 relations, correct?</p> <p>20 A. I am aware that she took Gabriele</p> <p>21 Mariotti's position.</p> <p>22 Q. Okay. And you didn't hear anything to</p> <p>23 suggest that she didn't get all of it. She is doing</p> <p>24 basically what Mariotti was doing?</p> <p>25 A. Correct.</p>

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<p>1 LORUSSO</p> <p>2 Q. Do you know that she is doing alliance as</p> <p>3 well?</p> <p>4 A. No.</p> <p>5 Q. Okay. In the next paragraph, just so we</p> <p>6 clarify this, the third one down, the last sentence.</p> <p>7 "I was the only employee in an office on the 36th</p> <p>8 floor."</p> <p>9 Do you mean you were the only employee</p> <p>10 left in the GA2000 office? Is that what you mean?</p> <p>11 A. That's correct.</p> <p>12 Q. Because there certainly were other</p> <p>13 employees on the 36th floor in offices?</p> <p>14 A. Very few.</p> <p>15 Q. Well, there was IT?</p> <p>16 A. There were about three people in IT. And</p> <p>17 as I said, I don't remember when the ticket office</p> <p>18 closed.</p> <p>19 Q. How many were there before it closed, do</p> <p>20 you know?</p> <p>21 A. In the ticket office?</p> <p>22 Q. Yes. Was it a half dozen people?</p> <p>23 A. It would be eight, maybe.</p> <p>24 Q. The ticket people had like cubicles in</p> <p>25 their office?</p>	<p>1 LORUSSO</p> <p>2 departure.</p> <p>3 Q. But you know that he left?</p> <p>4 A. Yes.</p> <p>5 Q. Do you know whether it was voluntary or</p> <p>6 involuntary?</p> <p>7 A. I don't know.</p> <p>8 Q. How did you hear that he'd left at all?</p> <p>9 A. In the conversation, probably, with</p> <p>10 Gabriele Mariotti.</p> <p>11 Q. Of course Mr. Mariotti had left before you</p> <p>12 left?</p> <p>13 A. Right.</p> <p>14 Q. But he hears things?</p> <p>15 A. I think that he probably is more in</p> <p>16 contact with some folks from the company. I</p> <p>17 certainly am not -- you know whom I am in contact</p> <p>18 with. I've already told you.</p> <p>19 Q. We've been through it.</p> <p>20 A. Yes.</p> <p>21 Q. The July 2006 worldwide Cargo meeting that</p> <p>22 you weren't invited to, did you ever discuss with</p> <p>23 Mr. Longo, Walter Longo why you weren't invited?</p> <p>24 A. Yes. I had a conversation with him after</p> <p>25 they came back.</p>
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<p>1 LORUSSO</p> <p>2 A. It was a ticket office that was open to</p> <p>3 the public so it was -- imagine a ticket office, not</p> <p>4 really cubicled.</p> <p>5 Q. Desks, sort of an open desk kind of area?</p> <p>6 A. That's correct.</p> <p>7 Q. The next paragraph says that Paul Baxtrum</p> <p>8 sent you an e-mail asking you to update the Cargo</p> <p>9 phone directory.</p> <p>10 Do you still have that e-mail? Is that</p> <p>11 one of the documents you believe you produced,</p> <p>12 because I don't believe I've seen it although I</p> <p>13 won't swear I haven't seen it.</p> <p>14 A. No, I don't.</p> <p>15 Q. You don't recall whether you've seen it</p> <p>16 recently in preparation, say, for today's</p> <p>17 deposition?</p> <p>18 A. I don't recall if it was in the batch of</p> <p>19 papers that I handed over last week.</p> <p>20 Q. Do you know, by the way, whether Paul</p> <p>21 Baxtrum is still working for Alitalia?</p> <p>22 A. I heard that he had left.</p> <p>23 Q. Did you hear that he was rified? That his</p> <p>24 job position was terminated around March of 2007?</p> <p>25 A. I don't know the particulars of his</p>	<p>1 LORUSSO</p> <p>2 Q. And what did Mr. Longo say?</p> <p>3 A. I think he told me that it was Rome's</p> <p>4 decision.</p> <p>5 Q. Did he explain who in Rome had made that</p> <p>6 decision?</p> <p>7 A. I don't recall.</p> <p>8 Q. Did he give you any other rationale such</p> <p>9 as well you were marketing coordination. This had</p> <p>10 nothing to do with marketing coordination.</p> <p>11 A. I don't recall. Paul Baxtrum was customer</p> <p>12 relations.</p> <p>13 Q. This states -- okay. Do you know who has</p> <p>14 that responsibility now?</p> <p>15 A. No. The reason why I'm saying it was</p> <p>16 because he was included in that meeting.</p> <p>17 Q. I got you. And customer relations, as you</p> <p>18 see it, is really part of the marketing function or</p> <p>19 associated with the marketing --</p> <p>20 A. It was on the Passenger side.</p> <p>21 Q. Well, when you were in charge of it.</p> <p>22 Now customer relations is associated with</p> <p>23 pricing. And, if you can believe me, also with</p> <p>24 alliance and a few other things.</p> <p>25 You mentioned that Tim O'Neill had a</p>

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<p>1 LORUSSO</p> <p>2 generous early retirement package. That was the</p> <p>3 regular ERP, right?</p> <p>4 A. I believe so.</p> <p>5 Q. Tim didn't get anything more than the ERP</p> <p>6 people did, as far as you know?</p> <p>7 A. No. But since Tim had been there a long</p> <p>8 time, it was a generous package.</p> <p>9 Q. I just want to get at this was not a</p> <p>10 special deal for Tim. Tim took the same deal that a</p> <p>11 lot of other people took.</p> <p>12 A. I understand.</p> <p>13 Q. That's correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Do you know who is vice president of Cargo</p> <p>16 now of North America in New York?</p> <p>17 A. No, I don't.</p> <p>18 Q. Do you know where Mr. Longo is now?</p> <p>19 A. I believe he retired.</p> <p>20 Q. Do you know when he retired?</p> <p>21 A. It was at the end of December in 2006.</p> <p>22 Q. Okay, 2006. So he retired before your job</p> <p>23 was terminated?</p> <p>24 A. Yes.</p> <p>25 Q. Have you had any communication with him</p>	<p>1 LORUSSO</p> <p>2 Q. Did you tell anybody that you made copies</p> <p>3 of them at that time?</p> <p>4 A. No.</p> <p>5 Q. Did you question Mr. Longo about that</p> <p>6 incentive program?</p> <p>7 A. I don't believe I did.</p> <p>8 Q. Did you ask Mr. Porru about it?</p> <p>9 A. I don't believe I did.</p> <p>10 Q. Did you ask anybody in HR about it?</p> <p>11 A. I don't believe I did.</p> <p>12 Q. Did you discuss it with Mr. Baxtrum --</p> <p>13 A. No.</p> <p>14 Q. -- the incentive scheme?</p> <p>15 A. No.</p> <p>16 Q. Mr. Baxtrum doesn't know that you have a</p> <p>17 copy of this letter, as far as you know?</p> <p>18 A. As far as I know.</p> <p>19 Q. How about Mr. DiFeo? Did you discuss it</p> <p>20 with him?</p> <p>21 A. No, I did not.</p> <p>22 Q. As far as you know he doesn't know that</p> <p>23 you have a copy of this letter?</p> <p>24 A. As far as I know.</p> <p>25 Q. So you're not aware of what explanation,</p>
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<p>1 LORUSSO</p> <p>2 since he retired?</p> <p>3 A. No.</p> <p>4 Q. Have you had any communication with Mr.</p> <p>5 Baxtrum since he left?</p> <p>6 A. No.</p> <p>7 Q. Have you had any communication with</p> <p>8 anybody from Cargo since you left?</p> <p>9 A. No.</p> <p>10 Q. I'm going to ask you some questions about</p> <p>11 the incentive scheme in Cargo.</p> <p>12 How did you learn about it?</p> <p>13 A. I saw it.</p> <p>14 Q. You saw the incentive scheme?</p> <p>15 A. I saw the letters addressed to Paul</p> <p>16 Baxtrum and Micheala DiFeo.</p> <p>17 Q. How did you come to see those letters?</p> <p>18 A. They were on the copy machine in the</p> <p>19 office.</p> <p>20 Q. They were on the office copy machine?</p> <p>21 A. Yes, they were.</p> <p>22 Q. And you read them?</p> <p>23 A. Yes, I did.</p> <p>24 Q. And you made copies of them?</p> <p>25 A. Yes.</p>	<p>1 LORUSSO</p> <p>2 if any, there is for your not being part of the</p> <p>3 incentive program? Correction. Nobody at Alitalia</p> <p>4 has ever given you an explanation for why --</p> <p>5 A. I don't recall.</p> <p>6 Q. Sorry?</p> <p>7 A. I don't recall.</p> <p>8 Q. Well, you haven't asked anybody about it.</p> <p>9 Do you think somebody volunteered that information?</p> <p>10 A. No.</p> <p>11 Q. Is that right?</p> <p>12 A. Yes.</p> <p>13 Q. Am I correct nobody at Alitalia has ever</p> <p>14 said, well, of course you are not in this program,</p> <p>15 Ms. Lorusso, because whatever?</p> <p>16 MS. KURZON: Objection.</p> <p>17 Q. It's okay. You can answer.</p> <p>18 A. I honestly don't remember.</p> <p>19 Q. Okay.</p> <p>20 MR. KORAL: Could we go off the record for</p> <p>21 a moment.</p> <p>22 MS. KURZON: Sure.</p> <p>23 VIDEOGRAPHER: The time is 3:19 p.m. We</p> <p>24 are going off the record.</p> <p>25 (A break was taken.)</p>

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<p>1 LORUSSO</p> <p>2 VIDEOGRAPHER: The time is 3:22 p.m. We're</p> <p>3 back on the record.</p> <p>4 MR. KORAL: Let us mark as Defendant's</p> <p>5 Exhibit 5 a document from Ester Lorusso to</p> <p>6 Andrea Sciarresi dated August 24, 2004.</p> <p>7 (Defendant's Exhibit 5, document, was</p> <p>8 marked for identification as of this date.)</p> <p>9 Q. Ms. Lorusso, did you send this document to</p> <p>10 Mr. Sciarresi?</p> <p>11 A. Yes, I did.</p> <p>12 Q. What was your reason for sending it?</p> <p>13 A. This seems weird.</p> <p>14 Q. This is a document that we produced to</p> <p>15 your attorneys?</p> <p>16 A. Yes. I'm sorry.</p> <p>17 Q. Do you remember the question? What was</p> <p>18 your reason for sending it to Mr. Sciarresi?</p> <p>19 A. The reason for sending it to Mr. Sciarresi</p> <p>20 is because I felt that I was being sexually</p> <p>21 discriminated against.</p> <p>22 Q. The first statement you make, in the</p> <p>23 second paragraph, is that you're the lowest paid</p> <p>24 person at your level.</p> <p>25 You mean that you were the lowest paid</p>	<p>1 LORUSSO</p> <p>2 no reason not to believe that.</p> <p>3 Q. When you say the compensation you are</p> <p>4 talking about the ex-patriot benefits?</p> <p>5 A. Correct, meaning the total compensation.</p> <p>6 Q. Was your salary lower than that of the</p> <p>7 director of public relations?</p> <p>8 A. Again, I considered her not part of our</p> <p>9 entity because she reported to Rome and at a certain</p> <p>10 point it was switched. I don't remember exactly</p> <p>11 when it was switched but she was -- she was in a</p> <p>12 separate division, let's say.</p> <p>13 MS. KURZON: Can we identify "she" for the</p> <p>14 record?</p> <p>15 THE WITNESS: Martha Lotti.</p> <p>16 Q. Do you know how her compensation was</p> <p>17 determined?</p> <p>18 A. No, I don't.</p> <p>19 Q. Do you know who determined it?</p> <p>20 A. No, I don't.</p> <p>21 Q. So it could be that New York determined</p> <p>22 the compensation of the director of public</p> <p>23 relations?</p> <p>24 A. Pardon me?</p> <p>25 Q. So it could be that New York determined</p>
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<p>1 LORUSSO</p> <p>2 director?</p> <p>3 A. Yes.</p> <p>4 Q. How did you know that?</p> <p>5 A. The three directors were -- I think</p> <p>6 Gabriele and I discussed it and he told me the other</p> <p>7 salaries, his own salary and --</p> <p>8 Q. Mr. Mariotti told you his own salary and</p> <p>9 other people's salaries?</p> <p>10 A. I believe so.</p> <p>11 Q. And he found those salaries in a photocopy</p> <p>12 machine?</p> <p>13 A. No. I don't know.</p> <p>14 MS. KURZON: Objection.</p> <p>15 Q. Did he tell you how he found them?</p> <p>16 A. No.</p> <p>17 Q. If I told you that Mr. D'Ilario's salary</p> <p>18 was lower than yours, do you have any reason not to</p> <p>19 believe that?</p> <p>20 A. Total compensation. We are talking about</p> <p>21 housing costs paid for as well.</p> <p>22 Q. In terms of salary, if I told you that Mr.</p> <p>23 D'Ilario's salary was lower than yours, would you</p> <p>24 have any reason not to believe that?</p> <p>25 A. Taking away the compensation, no, I have</p>	<p>1 LORUSSO</p> <p>2 her compensation, correct?</p> <p>3 A. It could be, but I'm not sure.</p> <p>4 Q. All right. And she was a director?</p> <p>5 A. Yes.</p> <p>6 Q. Do you know whether her compensation was</p> <p>7 higher or lower than Mr. Mariotti's?</p> <p>8 A. I don't know.</p> <p>9 Q. Do you know if Mr. Mariotti knew what her</p> <p>10 compensation was?</p> <p>11 A. No. I don't know.</p> <p>12 Q. Just to clarify, we are talking about</p> <p>13 Martha Lotti, correct?</p> <p>14 A. That's correct.</p> <p>15 Q. These directors that you're talking about,</p> <p>16 "lowest paid person at my level," about whom are you</p> <p>17 speaking? You weren't talking about Lotti, you</p> <p>18 don't know what her comp was.</p> <p>19 A. Correct.</p> <p>20 Q. You weren't talking about Mr. D'Ilario</p> <p>21 because he was an ex-pat and he had a compensation</p> <p>22 package.</p> <p>23 A. No. I was talking about Mr. D'Ilario, Mr.</p> <p>24 Mariotti and Mr. O'Neill.</p> <p>25 Q. You were talking about those three?</p>

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<p>1 LORUSSO</p> <p>2 A. Yes.</p> <p>3 Q. D'Illario, you are talking about really his</p> <p>4 whole package including his ex-pat --</p> <p>5 A. His compensation.</p> <p>6 Q. -- his ex-pat benefits plus his salary?</p> <p>7 A. His compensation, his total compensation.</p> <p>8 Q. Which consists of ex-pat benefits plus</p> <p>9 salary.</p> <p>10 A. Call it what you will.</p> <p>11 Q. Well, do you disagree with that?</p> <p>12 A. No.</p> <p>13 Q. Do you know what Mr. O'Neill's salary was?</p> <p>14 A. Exactly? No, but I'm sure it was higher</p> <p>15 than mine.</p> <p>16 Q. Do you know what Mr. Mariotti's was?</p> <p>17 A. I don't remember.</p> <p>18 Q. Do you remember what yours was in August</p> <p>19 of 2004?</p> <p>20 A. I believe it was \$80,000.</p> <p>21 Q. You believe that O'Neill's was higher and</p> <p>22 you believe that Mariotti's was higher?</p> <p>23 A. Correct.</p> <p>24 Q. And you believe that the whole value of</p> <p>25 Mr. D'Illario's compensation package was higher?</p>	<p>1 LORUSSO</p> <p>2 Q. Did you discuss this letter with Mr.</p> <p>3 Libutti and Mr. Sciarresi at any time?</p> <p>4 A. I don't recall.</p> <p>5 Q. There are two CC's on this letter. One is</p> <p>6 to TYNYC and one is to UGNYS.</p> <p>7 Do you know what those stand for?</p> <p>8 A. I don't recall.</p> <p>9 Q. Do you recall receiving this letter?</p> <p>10 A. Yes, I do.</p> <p>11 Q. You did not regard this as a promotion, as</p> <p>12 you've testified earlier.</p> <p>13 A. No. It was a transfer.</p> <p>14 Q. But you don't dispute that you were called</p> <p>15 managing director, do you?</p> <p>16 A. No, I don't.</p> <p>17 Q. And you don't dispute that your salary was</p> <p>18 increased from \$78,520.80 to \$105,000 per annum?</p> <p>19 A. That's correct.</p> <p>20 Q. Correct?</p> <p>21 A. Yes.</p> <p>22 Q. And you continued on all the Alitalia</p> <p>23 benefits, correct?</p> <p>24 A. Correct.</p> <p>25 Q. Did the GA2000 other employees besides you</p>
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<p>1 LORUSSO</p> <p>2 A. That's correct.</p> <p>3 Q. Did you hear back from Mr. Sciarresi</p> <p>4 regarding this e-mail?</p> <p>5 A. I don't recall.</p> <p>6 Q. You did eventually have a conversation</p> <p>7 with Franco Gallo and Stephanie Di Clemente about</p> <p>8 it?</p> <p>9 A. Yes, I did.</p> <p>10 Q. When you were in the Cargo Division, do</p> <p>11 you know what your salary was relative to that of</p> <p>12 Mr. Baxtrum and Mr. Guidotti?</p> <p>13 A. No, I don't.</p> <p>14 Q. So you don't know whether yours was higher</p> <p>15 or lower than theirs?</p> <p>16 A. No, I don't.</p> <p>17 MR. KORAL: Let's move on. We'll mark as</p> <p>18 Defendant's Exhibit 6 a letter signed by Mr.</p> <p>19 Scerasi and Mr. Libutti dated September 1, 2004</p> <p>20 and stamped September, I believe it's 22, 2004.</p> <p>21 MS. KURZON: May I have a copy, please?</p> <p>22 MR. KORAL: I'm sorry.</p> <p>23 It's stamped September 2, 2004. To you.</p> <p>24 (Defendant's Exhibit 6, letter, was marked</p> <p>25 for identification as of this date.)</p>	<p>1 LORUSSO</p> <p>2 and Mr. Farrow continue on Alitalia benefits?</p> <p>3 A. No. Nor did they start on Alitalia</p> <p>4 benefits.</p> <p>5 Q. "Continue" was the wrong word.</p> <p>6 Did they ever get Alitalia benefits?</p> <p>7 A. No.</p> <p>8 MR. KORAL: Let's look at a document we'll</p> <p>9 mark Defendant's Exhibit 7 from you to Andrea</p> <p>10 Sciarresi dated September 1.</p> <p>11 MS. KURZON: September 1, 2004.</p> <p>12 MR. KORAL: 2004.</p> <p>13 (Defendant's Exhibit 7, document, was</p> <p>14 marked for identification as of this date.)</p> <p>15 Q. Do you recall sending this to Mr.</p> <p>16 Sciarresi?</p> <p>17 A. Yes, I do.</p> <p>18 Q. And you copied Mr. Libutti?</p> <p>19 A. Yes, I did.</p> <p>20 Q. You hadn't copied him on the letter we</p> <p>21 just looked at, which was Exhibit 6, I believe.</p> <p>22 Is there a reason why you didn't?</p> <p>23 MS. KURZON: He signed it.</p> <p>24 MR. KORAL: Not 6, 5. The other e-mail to</p> <p>25 Sciarresi.</p>

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<p>1 LORUSSO</p> <p>2 A. I don't recall.</p> <p>3 Q. Now, in fact, you hadn't, at this point,</p> <p>4 accepted the position, correct?</p> <p>5 A. That's correct.</p> <p>6 Q. When is the last time you spoke with</p> <p>7 Cynthia Gill?</p> <p>8 A. It must have been in 2004, the end of</p> <p>9 2004.</p> <p>10 Q. Do you know whether she is an employment</p> <p>11 lawyer, a lawyer with expertise in employment law</p> <p>12 the way your current attorneys are?</p> <p>13 A. Yes.</p> <p>14 Q. She is?</p> <p>15 A. She is.</p> <p>16 Q. How did you find her?</p> <p>17 A. She was Kursheed Pakhiwala's attorney.</p> <p>18 Q. I'm sorry?</p> <p>19 A. She was Kursheed Pakhiwala's attorney?</p> <p>20 Q. She was Ms. Pakhiwala's attorney, okay.</p> <p>21 For how long did you remain her client?</p> <p>22 A. A few months.</p> <p>23 Q. A few months?</p> <p>24 A. Yes.</p> <p>25 Q. So she continued to give you legal advice</p>	<p>1 LORUSSO</p> <p>2 A. I believe so.</p> <p>3 Q. So obviously you made no attempt to</p> <p>4 contact her at the time you later contacted Mr.</p> <p>5 Behrins?</p> <p>6 A. That's correct.</p> <p>7 Q. Do you know what state she moved to?</p> <p>8 A. I remember her mentioning Florida.</p> <p>9 Q. Sounds good to me.</p> <p>10 MR. KORAL: We'll mark as Defendant's 8 a</p> <p>11 document to file from Stephanie Di Clemente</p> <p>12 dated Wednesday, September 22, 2004.</p> <p>13 MS. KURZON: September 2?</p> <p>14 MR. KORAL: That's a strange thing.</p> <p>15 Let's go off the record while I figure</p> <p>16 this out.</p> <p>17 VIDEOGRAPHER: The time is 3:37 p.m. We</p> <p>18 are going off the record.</p> <p>19 (A break was taken.)</p> <p>20 VIDEOGRAPHER: The time is 3:38 p.m. We</p> <p>21 are back on the record.</p> <p>22 Q. Let me just ask you a couple of questions</p> <p>23 about a meeting that you've already testified you</p> <p>24 recall having with Mr. Gallo and Stephanie Di</p> <p>25 Clemente.</p>
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<p>1 LORUSSO</p> <p>2 over the next several months?</p> <p>3 MS. KURZON: Objection.</p> <p>4 A. I don't recall, to be honest.</p> <p>5 Q. Do you recall when you engaged her?</p> <p>6 A. When Libutti asked for me to be</p> <p>7 transferred to GA2000, around that time.</p> <p>8 Q. Around that time, that's sometime in</p> <p>9 August 2004?</p> <p>10 A. July or August 2004.</p> <p>11 Q. And she continued as your attorney for</p> <p>12 several months?</p> <p>13 A. I don't recall.</p> <p>14 Q. I'm sorry. You just said that so I just</p> <p>15 wanted to clarify that.</p> <p>16 A. I know. It was a few months.</p> <p>17 Q. Do you recall at some point discharging</p> <p>18 her as your attorney?</p> <p>19 A. No.</p> <p>20 Q. How did the relationship come to an end</p> <p>21 then?</p> <p>22 A. I think Ms. Gill was about to move to</p> <p>23 another state.</p> <p>24 Q. So you think she actually moved and that</p> <p>25 was the end of that relationship?</p>	<p>1 LORUSSO</p> <p>2 The first question is: Who called the</p> <p>3 meeting?</p> <p>4 A. It was Mr. Gallo, I believe.</p> <p>5 Q. Did it take place in his office?</p> <p>6 A. Yes, it did.</p> <p>7 Q. Did Mr. Gallo explain what the meeting was</p> <p>8 about?</p> <p>9 A. Yes.</p> <p>10 Q. Did he tell you he was investigating your</p> <p>11 discrimination complaint?</p> <p>12 A. Yes.</p> <p>13 Q. And he asked you a series of questions?</p> <p>14 A. Yes.</p> <p>15 Q. You got an opportunity to speak, correct?</p> <p>16 A. Yes.</p> <p>17 Q. Did Ms. Di Clemente say anything?</p> <p>18 A. I don't recall.</p> <p>19 Q. Do you recall that she was taking notes?</p> <p>20 A. Yes.</p> <p>21 Q. Prior to this litigation, had you ever</p> <p>22 seen any copies of those notes?</p> <p>23 A. No.</p> <p>24 Q. Were you satisfied with the meeting you</p> <p>25 had with Mr. Gallo and Ms. Di Clemente?</p>

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<p>1 LORUSSO</p> <p>2 MS. KURZON: Objection.</p> <p>3 Q. You can answer, if you can.</p> <p>4 A. The meeting was just to ask me some</p> <p>5 questions so that they would get back to me. In</p> <p>6 other words, the investigation was supposed to be</p> <p>7 done after this meeting.</p> <p>8 Q. That was your understanding, that Mr.</p> <p>9 Gallo was going to go out and investigate now?</p> <p>10 A. That's correct.</p> <p>11 Q. And your belief is that he never did?</p> <p>12 A. That's correct.</p> <p>13 Q. Did he ever communicate anything about his</p> <p>14 investigation to you?</p> <p>15 A. I don't believe so.</p> <p>16 Q. Did you ever ask him about it?</p> <p>17 A. I don't recall.</p> <p>18 MR. KORAL: Let's take a look at a</p> <p>19 document that we can mark as Defendant's</p> <p>20 Exhibit 8.</p> <p>21 (Defendant's Exhibit 8, document, was</p> <p>22 marked for identification as of this date.)</p> <p>23 Q. Let me ask, do you recall sending this to</p> <p>24 Mr. Libutti?</p> <p>25 A. Yes, I do.</p>	<p>1 LORUSSO</p> <p>2 A. No. I did not.</p> <p>3 Q. The meeting at headquarters was a sales</p> <p>4 meeting, correct? That's what this memo says.</p> <p>5 A. Yes.</p> <p>6 Q. Had you ever been invited to sales</p> <p>7 meetings at headquarters prior to September of 2004?</p> <p>8 A. I don't recall.</p> <p>9 Q. Okay.</p> <p>10 MR. KORAL: Let's move on. We'll mark as</p> <p>11 Defendant's Exhibit 9 a letter from Alitalia</p> <p>12 signed by Mr. Libutti and Mr. Gallo to Ms.</p> <p>13 Lorusso, dated September 17, 2004.</p> <p>14 (Defendant's Exhibit 9, letter, was marked</p> <p>15 for identification as of this date.)</p> <p>16 Q. Do you recall seeing this before, Ms.</p> <p>17 Lorusso?</p> <p>18 A. Yes, I do.</p> <p>19 Q. Do you recall seeing it at the time that</p> <p>20 it was apparently sent, around September 17, 2004?</p> <p>21 A. Yes, I do.</p> <p>22 Q. Let me ask you, first, what is ZZ-NYC</p> <p>23 mean?</p> <p>24 A. That was a code for my department.</p> <p>25 Q. And "the department" being marketing</p>
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<p>1 LORUSSO</p> <p>2 MR. KORAL: This is an e-mail from Ester</p> <p>3 Lorusso to Guilio Libutti dated September 16,</p> <p>4 2004, and the subject is 9/16/2004.</p> <p>5 MS. KURZON: It's to Libutti and Gallo?</p> <p>6 MR. KORAL: I'm sorry?</p> <p>7 MS. KURZON: To Libutti and Gallo?</p> <p>8 MR. KORAL: Yes. It goes to Libutti and</p> <p>9 to Gallo.</p> <p>10 Q. First, let me ask -- you've already</p> <p>11 testified you remember sending it. Did you ever get</p> <p>12 an explanation as to why you did not get to go to</p> <p>13 this meeting at headquarters on September 13 and 14?</p> <p>14 A. I don't recall.</p> <p>15 Q. You state that at present Alitalia lacks a</p> <p>16 human resources director. What happened to Mr.</p> <p>17 Sciarresi, if you recall?</p> <p>18 A. I believe he was in the hospital.</p> <p>19 Q. Do you have any idea why?</p> <p>20 A. He had mental issues.</p> <p>21 Q. Did he have something that people were</p> <p>22 calling a nervous breakdown?</p> <p>23 A. That was the rumor at the time.</p> <p>24 Q. Did you ever see Mr. Sciarresi again after</p> <p>25 he was hospitalized around September of 2004?</p>	<p>1 LORUSSO</p> <p>2 communications?</p> <p>3 A. That's correct.</p> <p>4 Q. Does this refresh your recollection as to</p> <p>5 whether you were given an explanation -- whether you</p> <p>6 liked it or not -- about the meeting on September</p> <p>7 13, 14 at headquarters?</p> <p>8 A. Yes, it does.</p> <p>9 Q. Did you have any discussion about this</p> <p>10 letter with Mr. Gallo after you received it?</p> <p>11 A. I don't recall.</p> <p>12 Q. Did you have any discussion with Mr.</p> <p>13 Libutti about this letter after you received it?</p> <p>14 A. I don't recall.</p> <p>15 Q. Do you recall discussing this letter with</p> <p>16 anybody?</p> <p>17 A. I don't recall.</p> <p>18 Q. Did you understand from this letter that</p> <p>19 you had to make up your mind about the GA2000</p> <p>20 position sometime between September 17 and September</p> <p>21 20, that they were giving you an ultimatum, in</p> <p>22 effect?</p> <p>23 A. Yes.</p> <p>24 Q. Did you discuss with Mr. Gallo the fact</p> <p>25 that you were being given an ultimatum about that</p>

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<p>1 LORUSSO</p> <p>2 position?</p> <p>3 A. I don't recall.</p> <p>4 Q. Did you discuss that with Mr. Libutti?</p> <p>5 A. I don't recall.</p> <p>6 Q. Did you discuss it with anybody else?</p> <p>7 A. I don't recall.</p> <p>8 Q. Was Ms. Gill still your attorney at this</p> <p>9 point, September 17?</p> <p>10 A. I am trying to remember. I believe she</p> <p>11 was.</p> <p>12 Q. I don't want to know the contents of</p> <p>13 anything that she said, but you don't recall</p> <p>14 actually whether she was your attorney?</p> <p>15 A. I believe she was.</p> <p>16 Q. Again, without discussing the contents of</p> <p>17 anything you or she said, did you discuss this memo</p> <p>18 with Ms. Gill or -- no, let me ask that first, if</p> <p>19 you recall?</p> <p>20 A. I don't recall.</p> <p>21 Q. Did you discuss the ultimatum aspect of it</p> <p>22 with Ms. Gill, if you recall? Don't tell me what</p> <p>23 she said or what you said.</p> <p>24 A. I may have.</p> <p>25 MR. KORAL: Here we have Defendant's</p>	<p>1 LORUSSO</p> <p>2 Q. Do you know if she met with Mr. Galli?</p> <p>3 A. I don't know.</p> <p>4 Q. Do you know if she traveled to Rome?</p> <p>5 A. I believe she did.</p> <p>6 Q. For meetings?</p> <p>7 A. I don't know.</p> <p>8 Q. As opposed to pleasure, I mean.</p> <p>9 A. I don't know.</p> <p>10 Q. Was Ms. Lotti a U.S. national or was she</p> <p>11 an ex-pat?</p> <p>12 A. She was a U.S. national.</p> <p>13 Q. Did you ever discuss this memo with Mr.</p> <p>14 Gallo?</p> <p>15 A. I don't recall.</p> <p>16 Q. Did you ever discuss this memo with Mr.</p> <p>17 Libutti?</p> <p>18 A. I don't recall.</p> <p>19 Q. Do you know whether Mr. D'Oro was at that</p> <p>20 meeting on September 13, 14 in Rome?</p> <p>21 A. I don't know.</p> <p>22 Q. Mr. D'Oro was vice president, was he not?</p> <p>23 A. I don't know.</p> <p>24 Q. He was either a vice president or director</p> <p>25 in 2004?</p>
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<p>1 LORUSSO</p> <p>2 Exhibit 10, an e-mail from Ester Lorusso to</p> <p>3 Libutti and Gallo, dated September 20, 2004,</p> <p>4 subject your letter dated 9/17.</p> <p>5 (Defendant's Exhibit 10, e-mail, was</p> <p>6 marked for identification as of this date.)</p> <p>7 Q. Looking at this memo, do you recall</p> <p>8 sending it?</p> <p>9 A. Yes, I do.</p> <p>10 Q. You state that you were the only director</p> <p>11 who was not invited to the meeting?</p> <p>12 A. That is correct.</p> <p>13 Q. Do you know whether Ms. Lotti was invited?</p> <p>14 A. Again, Ms. Lotti was not part of our</p> <p>15 division so I don't consider her --</p> <p>16 Q. Explain what you mean by "division." She</p> <p>17 was not part of Passenger?</p> <p>18 A. She was part of Passenger, but she did not</p> <p>19 meet with us. We had no --</p> <p>20 Q. Ms. Lotti was in charge of public</p> <p>21 relations and she did not meet with people in the</p> <p>22 rest of the Passenger Division?</p> <p>23 A. No. She did not.</p> <p>24 Q. Do you know if she met with Mr. Libutti?</p> <p>25 A. I don't know.</p>	<p>1 LORUSSO</p> <p>2 A. Correct.</p> <p>3 MR. KORAL: We'll move on to Defendant's</p> <p>4 Exhibit 11 which is a confidential memo to Ms.</p> <p>5 Ester Lorusso signed by it looks like Stephanie</p> <p>6 Di Clemente for Andrea Sciarresi and by Guilio</p> <p>7 Libutti, dated October 13, 2004.</p> <p>8 (Defendant's Exhibit 11, memo, was marked</p> <p>9 for identification as of this date.)</p> <p>10 Q. Do you recall receiving this?</p> <p>11 A. Yes, I do.</p> <p>12 Q. Does this refresh your recollection as to</p> <p>13 the effective date of the promotion?</p> <p>14 A. Yes, it does.</p> <p>15 Q. That was November 1?</p> <p>16 A. That's correct.</p> <p>17 Q. Starting at that time you began collecting</p> <p>18 the \$105,000 salary?</p> <p>19 A. That is correct.</p> <p>20 MR. KORAL: Defendant's 12 will be a memo</p> <p>21 to file from Stephanie Di Clemente, dated</p> <p>22 October 25, 2004, subject Libutti's rebuttal</p> <p>23 reference, Lorusso's claim.</p> <p>24 (Defendant's Exhibit 12, memo, was marked</p> <p>25 for identification as of this date.)</p>

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2 Q. The first question is, have you seen this

3 before. You haven't seen it yet, have you?

4 A. Have I seen this before? Yes, I have.

5 Q. When did you first see it?

6 A. From my attorney, recently.

7 Q. In preparation for this deposition?

8 A. Yes.

9 Q. Mr. Libutti says that after Paolo Rubino

10 left his position in home office marketing -- in

11 home office, sorry, that marketing initiatives from

12 the U.S. would carry less weight and importance in

13 the office. He denies that he was making a threat

14 to your position, that that was just in effect.

15 Do you accept that? Do you recollect now

16 that Mr. Libutti said to you, Well, with Rubino gone

17 from marketing they're not going to pay as much

18 attention to the U.S. on marketing issues?

19 A. I don't recall that it was stated that

20 way. I recall him mentioning Rubino, but not that

21 sentence that way.

22 Q. Mr. Libutti states that he never wrote

23 nasty e-mails to you, but only working e-mails

24 reminding you to pay more attention to his work.

25 You disagree with that?

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1 LORUSSO

2 A. Yes. His tone was always nasty when he

3 wrote to me.

4 Q. Do you have any samples of that? I

5 understand that you don't have them with you but can

6 you recall anything specific that you thought was

7 nasty -- that you felt was nasty? I understand that

8 these were written long ago on the one hand, but on

9 the other hand you have been going over a lot of

10 stuff in preparation for deposition so perhaps

11 something stands up in your mind?

12 A. I don't recall at this moment.

13 Q. What is ENIT in paragraph 3?

14 A. The Italian government tourist office.

15 Q. The Italian government tourist office?

16 A. Yes.

17 Q. And AZ is the code for Alitalia, correct?

18 A. That is correct.

19 Q. Libutti is stating that the symposium was

20 organized by the Italian government tourist office

21 and that Alitalia's involvement was only in choosing

22 the trade segment and making reservations.

23 Is that true?

24 A. That's not true.

25 Q. What's false about it?

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1 LORUSSO

2 A. The entire statement. Alitalia was the

3 originator of the yearly symposium.

4 Q. So Alitalia's involvement was not only in

5 choosing a trade segment and making the

6 reservations?

7 A. That's correct.

8 Q. Is it true that you were one of the key

9 speakers at the symposium?

10 A. Yes, I was.

11 Q. What does OM stand for in paragraph 4, if

12 you know?

13 A. That was Tim O'Neill's department.

14 Q. And Mr. Libutti says that it's not true

15 that Grace DeFranco got the planning, I guess, of

16 the symposium.

17 Do you know now whether it's true or not

18 that Grace got the planning of the symposium?

19 A. She got the planning of the symposium.

20 Q. You say she did?

21 A. Yes, she did.

22 Q. Do you have any documentation for that

23 that you looked at, say, recently?

24 A. The planner up until that point was

25 Elizabeth Santella.

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1 LORUSSO

2 Q. In your department?

3 A. Yes.

4 Q. How do you know that it went over to

5 Grace?

6 A. She was doing the work.

7 Q. She was doing the work?

8 A. Yes.

9 Q. How much work was involved? A day? A

10 week? A month? A year?

11 A. A few weeks.

12 Q. Sorry?

13 A. A few weeks.

14 Q. Full time?

15 A. No.

16 Q. You mean the planning took a few weeks to

17 do but it was just part of somebody's job. It

18 wasn't a full time kind of thing?

19 A. Correct.

20 Q. Did you recall telling Mr. Gallo that Mr.

21 O'Neill's staff was inexperienced?

22 A. Repeat the question, please.

23 (Testimony was read back.)

24 Q. I'm sorry. Let me correct that. It

25 wasn't Mr. Gallo. It was Mr. Libutti?

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<p>1 LORUSSO</p> <p>2 Q. I will ask, did you look at this document</p> <p>3 in connection with your preparation for today's</p> <p>4 deposition?</p> <p>5 A. Yes.</p> <p>6 Q. And you saw Libutti's comments?</p> <p>7 MS. KURZON: Objection. Again, these are</p> <p>8 not handwritten comments from Libutti, are</p> <p>9 they? Didn't we just discuss that those would</p> <p>10 have been in Italian?</p> <p>11 MR. KORAL: Well, she said that, but these</p> <p>12 are Libutti's handwritten comments. I'm</p> <p>13 representing that they are.</p> <p>14 MS. KURZON: I trust your representation.</p> <p>15 MR. KORAL: When you finally take Mr.</p> <p>16 Libutti's deposition you can ask him about it,</p> <p>17 but I believe he wrote these comments and then</p> <p>18 had a meeting with Gallo and Stephanie and</p> <p>19 explained himself.</p> <p>20 Q. The first question, Ms. Lorusso, did</p> <p>21 Stephanie Di Clemente speak Italian?</p> <p>22 A. I don't know. I don't think so.</p> <p>23 Q. She is American?</p> <p>24 A. Yes, she is.</p> <p>25 Q. And she speaks English without a</p>	<p>1 LORUSSO</p> <p>2 Wednesday, 11 October, from Mr. Porru.</p> <p>3 Q. Did you review this e-mail chain or these</p> <p>4 two e-mails, Ms. Lorusso, prior to today?</p> <p>5 A. Yes, sir.</p> <p>6 Q. Do you recall receiving Mr. Porru's e-mail</p> <p>7 at the time it was sent?</p> <p>8 A. Yes, sir.</p> <p>9 Q. Did you discuss this communication with</p> <p>10 Mr. Porru?</p> <p>11 A. I don't believe so.</p> <p>12 Q. Did you discuss it with Mr. Longo? And by</p> <p>13 "it" I mean Mr. Porru's e-mail to you.</p> <p>14 A. I don't recall.</p> <p>15 Q. What about the e-mail addressed originally</p> <p>16 to Walter Longo with a copy to Mr. Porru that you</p> <p>17 sent.</p> <p>18 Did you discuss that with Mr. Longo?</p> <p>19 A. I don't recall.</p> <p>20 Q. Do you recall discussing it with anybody,</p> <p>21 apart from your lawyers in connection with your</p> <p>22 lawsuit?</p> <p>23 A. I don't recall.</p> <p>24 Q. Did you have conversations with Mr. Porru</p> <p>25 about your discrimination complaint at any time</p>
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<p>1 LORUSSO</p> <p>2 noticeable foreign accent?</p> <p>3 A. Yes.</p> <p>4 Q. You just don't know whether she speaks</p> <p>5 Italian, say, as you do, because you speak English</p> <p>6 without an accent at all?</p> <p>7 A. I've never heard her. I have never heard</p> <p>8 her speak Italian.</p> <p>9 Q. Did you ever send her anything in writing</p> <p>10 in Italian?</p> <p>11 A. No.</p> <p>12 MR. KORAL: Really all I wanted to do was</p> <p>13 to get this on the record because this is, I</p> <p>14 believe, the attachment to the prior exhibit.</p> <p>15 This is Defendant's 14. It is an e-mail</p> <p>16 from Andrea Porru to Ester Lorusso with a copy</p> <p>17 to Walter Longo. The subject is Cargo</p> <p>18 position.</p> <p>19 (Defendant's Exhibit 14, e-mail, was</p> <p>20 marked for identification as of this date.)</p> <p>21 MR. KORAL: Let me represent that this is</p> <p>22 actually a three-page document consisting of an</p> <p>23 original e-mail from Ester Lorusso to Walter</p> <p>24 Longo with a copy to Mr. Porru, dated</p> <p>25 Wednesday, 27 December 2006, and a response on</p>	<p>1 LORUSSO</p> <p>2 following September 17?</p> <p>3 A. I don't believe so.</p> <p>4 Q. No?</p> <p>5 A. I don't recall.</p> <p>6 Q. Okay. You don't recall?</p> <p>7 A. I don't recall.</p> <p>8 Q. Do you know whether Mr. Porru made any</p> <p>9 investigation of your complaint?</p> <p>10 A. I believe that the day that I was</p> <p>11 terminated I was given a response.</p> <p>12 Q. All right. Did Mr. Porru attempt to talk</p> <p>13 to you about these claims, about your discrimination</p> <p>14 claim while you were still employed?</p> <p>15 A. I believe so.</p> <p>16 Q. Did you refuse to speak with him?</p> <p>17 A. I think it was after I was terminated.</p> <p>18 Q. Did you refuse to speak with him?</p> <p>19 A. Yes.</p> <p>20 Q. Yes?</p> <p>21 A. Yes.</p> <p>22 Q. Do not tell me anything that you were</p> <p>23 advised by your attorneys. Other than that, can you</p> <p>24 describe your reason for not doing it, if it was</p> <p>25 your own.</p>

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<p>1 LORUSSO</p> <p>2 A. No. No, I cannot.</p> <p>3 Q. I got you.</p> <p>4 MR. KORAL: I could actually use a</p> <p>5 five-minute break.</p> <p>6 VIDEOGRAPHER: The time is 4:15 p.m. We</p> <p>7 are going off the record.</p> <p>8 (A break was taken.)</p> <p>9 VIDEOGRAPHER: This is tape number 5 of</p> <p>10 the videotape deposition of Ms. Ester Lorusso.</p> <p>11 The time is now 4:25 p.m. We are back on the</p> <p>12 record.</p> <p>13 MR. KORAL: We will mark as Defendant's 15</p> <p>14 an e-mail from Andrea Porru to Ester Lorusso,</p> <p>15 dated Tuesday, November 7, 2006, subject</p> <p>16 Wednesday's meeting. Copied are Walter Longo</p> <p>17 and Thierry Aucoc.</p> <p>18 (Defendant's Exhibit 15, e-mail, was</p> <p>19 marked for identification as of this date.)</p> <p>20 Q. Ms. Lorusso, have you seen this before?</p> <p>21 A. Yes.</p> <p>22 Q. Did you receive it at that time it's</p> <p>23 dated?</p> <p>24 A. Yes, I did.</p> <p>25 Q. This is a response from Mr. Porru to you?</p>	<p>1 LORUSSO</p> <p>2 A. I don't recall.</p> <p>3 MR. KORAL: Let's move on. Defendant's</p> <p>4 16.</p> <p>5 I'm sorry. This document was</p> <p>6 inadvertently produced and I would like all the</p> <p>7 copies, please, including the one we produced</p> <p>8 to you.</p> <p>9 I think these are privileged documents.</p> <p>10 MS. KURZON: It's Bates stamped.</p> <p>11 MR. KORAL: I said it was inadvertently</p> <p>12 produced. I will make that request as well.</p> <p>13 I am requesting on the record that you</p> <p>14 return to us all copies of the document Bates</p> <p>15 stamped Defendant's 17 to 21.</p> <p>16 MS. KURZON: 17 to 21?</p> <p>17 MR. KORAL: Yes.</p> <p>18 MS. KURZON: So we're not counting as</p> <p>19 Exhibit 16?</p> <p>20 MR. KORAL: No.</p> <p>21 MS. KURZON: I just want to make sure for</p> <p>22 my numbers.</p> <p>23 MR. KORAL: It's withdrawn.</p> <p>24 We'll mark as Defendant's Exhibit 16 a</p> <p>25 document from Walter Longo to Andrea Porru,</p>
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<p>1 LORUSSO</p> <p>2 A. That's correct.</p> <p>3 Q. Regarding a memo that you sent on Monday,</p> <p>4 November 6, to Mr. Porru, copying Walter Longo and</p> <p>5 Thierry Aucoc.</p> <p>6 You've already testified that you had your</p> <p>7 meeting with Mr. Porru regarding the director of</p> <p>8 regulatory affairs position, right?</p> <p>9 A. That's correct.</p> <p>10 Q. But you never heard back from Mr. Porru</p> <p>11 about the results?</p> <p>12 A. At this point, I don't think so.</p> <p>13 Q. But you are not aware of anybody else</p> <p>14 being hired for that position?</p> <p>15 A. No.</p> <p>16 Q. At the time you left Alitalia, do you know</p> <p>17 whether Mr. Orlando D'Oro was still acting as a</p> <p>18 consultant for the regulatory affairs position?</p> <p>19 A. I believe he was.</p> <p>20 Q. Did Mr. Porru ever discuss with you --</p> <p>21 pardon me, ever meet with you to discuss this</p> <p>22 investigation?</p> <p>23 A. No.</p> <p>24 Q. Did you seek such a meeting after you</p> <p>25 received this e-mail from Mr. Porru?</p>	<p>1 LORUSSO</p> <p>2 dated 9 November with a copy to Luca Bruni,</p> <p>3 regarding a Cargo position. And it references</p> <p>4 an Ester Lorusso e-mail and other documents.</p> <p>5 (Defendant's Exhibit 16, document, was</p> <p>6 marked for identification as of this date.)</p> <p>7 Q. Have you seen this document before?</p> <p>8 A. I believe I have.</p> <p>9 Q. All right. Did you ever discuss it with</p> <p>10 Walter Longo?</p> <p>11 A. This document?</p> <p>12 Q. Yes.</p> <p>13 A. No.</p> <p>14 Q. It responds to an e-mail from Mr. Porru to</p> <p>15 Mr. Longo with a copy to Mr. Bruni regarding the</p> <p>16 Cargo position dated October 30 in which Mr. Porru</p> <p>17 states that he is conducting an investigation of</p> <p>18 your allegations of sex discrimination and</p> <p>19 retaliation.</p> <p>20 Did you read Mr. Porru's e-mail?</p> <p>21 A. Yes.</p> <p>22 Q. At the time you were complaining about</p> <p>23 being put on probation when you assumed the Cargo</p> <p>24 position, correct?</p> <p>25 A. Correct.</p>

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<p>1 LORUSSO</p> <p>2 Q. That was because you hadn't been put on</p> <p>3 probation when you assumed the position in GA2000?</p> <p>4 A. That's one of the reasons.</p> <p>5 Q. What are the other reasons?</p> <p>6 A. When Tim O'Neill came into Alitalia he was</p> <p>7 not put on probation either?</p> <p>8 Q. How do you know that?</p> <p>9 A. He told me.</p> <p>10 Q. You asked him or he just volunteered that</p> <p>11 he wasn't put on probation?</p> <p>12 A. I believe I asked him.</p> <p>13 Q. When did you ask him?</p> <p>14 A. I don't recall.</p> <p>15 Q. Did you ask him at the time he came in to</p> <p>16 Alitalia?</p> <p>17 A. I don't recall.</p> <p>18 Q. Do you recall whether it was around the</p> <p>19 time that you went into Cargo?</p> <p>20 A. Most probably.</p> <p>21 Q. Did you pass the probation?</p> <p>22 A. Yes, I did.</p> <p>23 Q. You got a letter from Walter Longo telling</p> <p>24 you that?</p> <p>25 A. Yes, I did.</p>	<p>1 LORUSSO</p> <p>2 Q. -- "and the fliers announcing the updates</p> <p>3 of Alitalia Cargo. Moreover, she took care of the</p> <p>4 organization of the agents database."</p> <p>5 Is that true?</p> <p>6 A. This is true, but you should know that</p> <p>7 what you just read took up about 10 percent of my</p> <p>8 time.</p> <p>9 Q. What took up the other 90 percent?</p> <p>10 A. Nothing.</p> <p>11 Q. You did nothing for 90 percent of your</p> <p>12 time while were you in the Cargo Division?</p> <p>13 A. I would say so, other than working on the</p> <p>14 agents database which was just inputting data.</p> <p>15 Q. What about the fliers?</p> <p>16 A. Oh, I could do those in five minutes flat.</p> <p>17 Q. What about the supporting of the launch of</p> <p>18 the new stations?</p> <p>19 A. Same thing.</p> <p>20 Q. You didn't do much in connection with</p> <p>21 that?</p> <p>22 A. I didn't do much.</p> <p>23 Q. Mr. Longo at some point stated that he had</p> <p>24 encouraged you to get out to the stations and become</p> <p>25 familiar with them, and that you hadn't done that.</p>
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<p>1 LORUSSO</p> <p>2 Q. Did you suffer any ill effects from being</p> <p>3 on probation?</p> <p>4 MS. KURZON: Objection. I don't know what</p> <p>5 you mean.</p> <p>6 MR. KORAL: Okay. Well, let's see if she</p> <p>7 does.</p> <p>8 A. I'm sorry. I don't know what you mean.</p> <p>9 MS. KURZON: Ill effects? Physical</p> <p>10 effects?</p> <p>11 MR. KORAL: You made your objection.</p> <p>12 Q. Did anything bad happen to you as a result</p> <p>13 of being on probation?</p> <p>14 A. No.</p> <p>15 Q. Okay. Let's move on, then.</p> <p>16 No, let's go back -- I'm sorry -- to 16,</p> <p>17 again. In paragraph 1B on the first page of this</p> <p>18 document, Mr. Longo tells Mr. Porru, "Mrs. Lorusso's</p> <p>19 records in her Cargo responsibility show that she</p> <p>20 carried out concrete tests supporting informational</p> <p>21 events occurred. In particular, she supported the</p> <p>22 launch of the new stations, e.g. Atlanta and Los</p> <p>23 Angeles, the opening/moving of new warehouses,</p> <p>24 Boston and" -- I don't know what YUL is --</p> <p>25 A. Canada.</p>	<p>1 LORUSSO</p> <p>2 Did he encourage you to do that?</p> <p>3 A. No. He did not.</p> <p>4 Q. Did you do it?</p> <p>5 A. No. I did not.</p> <p>6 Q. Did you ever propose going out to the</p> <p>7 stations?</p> <p>8 A. Yes, I did.</p> <p>9 Q. To whom?</p> <p>10 A. To the various managers. Actually, to one</p> <p>11 in particular.</p> <p>12 Q. Which one?</p> <p>13 A. Ferrante, I believe his name is.</p> <p>14 Q. Sorry?</p> <p>15 A. Ferrante, F-E-R-R-A-N-T-E.</p> <p>16 Q. Where is Mr. Ferrante?</p> <p>17 A. At JFK.</p> <p>18 Q. Mr. Ferrante was the station manager at</p> <p>19 JFK?</p> <p>20 A. I don't remember his title.</p> <p>21 Q. Wasn't Mr. De Rienzo in charge of JFK, if</p> <p>22 you know?</p> <p>23 A. I don't remember.</p> <p>24 Q. Anyway, you contacted Mr. Ferrante</p> <p>25 directly?</p>

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